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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

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Announcement**CFR SUPPLEMENTS**

(As of January 1, 1960)

The following Supplements are now available:

Titles 10-13..... \$0.50

Titles 22-23..... .45

Title 32, Part 1100 to End..... .60

Title 38..... 1.00

Previously announced: Title 3 (\$0.60); Titles 4-5 (\$1.00); Title 7, Parts 1-50 (\$0.45); Parts 51-52 (\$0.45); Parts 53-209 (\$0.40); Title 8 (\$0.40); Title 9 (\$0.35); Title 20 (\$1.25); Title 26 (1939), Parts 1-79 (\$0.40); Parts 80-169 (\$0.35); Parts 170-182 (\$0.35); Parts 300 to End (\$0.40); Title 26, Part 1 (§§ 1.01-1.499) (\$1.75); Parts 1 (§ 1.500 to End)-19 (\$2.25); Parts 170-221 (\$2.25); Titles 30-31 (\$0.50); Title 32, Parts 700-799 (\$1.00); Title 36, Revised (\$3.00); Title 46, Parts 146-149, Revised (\$6.00); Title 49, Parts 1-70 (\$1.75); Parts 91-164 (\$0.45).

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Commission on Civil Rights

1. Effective upon publication in the FEDERAL REGISTER, § 6.160(a) is added as set out below.

§ 6.160 Commission on Civil Rights.

(a) Ten positions at grade GS-11 and above to engage in and advise on the collection, study, and appraisal of information developed in accordance with Public Law 85-315. Appointments made under this authority shall be limited to persons having a particular competency in the areas concerned and shall not extend beyond November 9, 1961.

2. Effective upon publication in the FEDERAL REGISTER, paragraph (a) of § 6.360 is revoked and paragraphs (d) and (e) are added as set out below.

§ 6.360 Commission on Civil Rights.

(d) One Special Assistant to the Staff Director.

(e) One Assistant Staff Director for State Advisory Committees.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE
COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant.

[F.R. Doc. 60-2661; Filed, Mar. 23, 1960;
8:52 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Adminis- tration, Department of Agriculture

SUBCHAPTER G—MISCELLANEOUS REGULATIONS

[FHA Instruction 445.1, Administration
Letter 668(445)]

PART 381—EMERGENCY LOANS

Miscellaneous Amendments

The following amendments to Part 381 in Title 6, Code of Federal Regulations (21 F.R. 10359, 22 F.R. 9409) are made for the purpose of revoking the authority to make Special Emergency loans and to prescribe authority to make loans to cranberry growers:

§ 381.1 [Revocation]

1. Paragraph (c) of § 381.1 is revoked.

2. Paragraph (b) of § 381.3 is revised to read as follows:

§ 381.3 Designation of Emergency loan areas.

(b) *Additional disasters in designated areas.* When an additional natural disaster occurs in an area already designated for Production Emergency loans, or when a natural disaster resulting in a limited need for credit occurs in an area already designated by the Secretary of Agriculture for Economic Emergency loans, and the need for credit can be met without extending the period for accepting initial applications, the State Director may authorize the same type of Emergency loans for which the area is then designated to meet the need for credit resulting from the additional disaster.

§ 381.4 [Revocation]

3. Paragraph (c) in § 381.4 is revoked.

§ 381.6 [Revocation]

4. Paragraph (b) in § 381.6 is revoked.

5. Subdivision (iv) in paragraph (b) (2) and subparagraph (2) in paragraph (c) in § 381.9 are revised to read as follows:

§ 381.9 Loan processing.

(b) *Applications.* * * *

(2) * * *

(iv) If the applicant is a corporation, the financial statement of the corporation will be obtained in the manner indicated above for a partnership. In addition, the corporation will furnish a complete list of its stockholders, showing the address, principal occupation, and the number of shares of stock held in the corporation by each. Personal financial statements will be obtained from each of the principal stockholders (generally, those holding as much as ten percent of the stock) and included in the loan docket. A copy of the corporation's charter, articles of incorporation and by-laws, of any resolutions adopted by the Board of Directors authorizing the corporation to borrow and pledge its assets, and of any leases, contracts or agreements that have been entered into by the corporation which may be pertinent to a consideration of its application, also will be included in the loan docket.

(c) *Certifications.* * * *

(2) *County Committee certification.* When the County Committee determines an applicant eligible for a Production Emergency loan, the Committee will execute part 4 of Form FHA-910 without change. For an Economic Emergency loan, the County Committee will execute part 4 after the language in (1) thereof has been deleted. When an applicant is not eligible for the loan requested, the

entire certification will be deleted and the reasons for such a determination will be stated under "Comments."

6. Subparagraph (2) in § 381.12(a) is revoked and subparagraph (2) of paragraph (b) of the same section is revised to read as follows:

§ 381.12 Loan approval authority.

(b) * * *

(2) County Supervisors, Assistant County Supervisors, GS-7, and Emergency Loan Supervisors may be authorized to approve Production and Economic Emergency loans which will not cause the total outstanding principal balance on all Emergency loans and loans made under Title II of the Bankhead-Jones Farm Tenant Act, as amended, to exceed \$10,000 for any one borrower.

7. A new § 381.16 is added to authorize loans to cranberry growers to read as follows:

§ 381.16 General.

Production Emergency loans will be made to eligible and qualified cranberry growers in designated areas and serviced in accordance with the requirements of this part except as is provided for in this section.

(a) *Eligibility.* Section 381.4 is not applicable to cranberry growers. Instead, any established cranberry grower with a record of successful cranberry operations in the past, whether owner or tenant, operating in the designated area as an individual, partnership, or corporation, is eligible for a loan provided:

(1) He is unable to obtain from commercial banks, cooperative lending agencies, or other responsible sources the credit required for continuing his normal cranberry operations. If the applicant is a partnership or corporation, it must be determined that the partners or principal stockholders are unable personally to finance the operations involved or to obtain the necessary credit for this purpose.

(2) He has the necessary experience and ability to succeed with the proposed cranberry operations and will honestly endeavor to carry out the undertakings and obligations required of him.

(3) He will personally manage the operations involved. If the applicant is a partnership or corporation, the operations must be under the personal direction of a partner or principal stockholder. An applicant's business or professional activities, outside employment, or other farming operations will not disqualify him for Emergency loan assistance provided all other eligibility requirements are met.

(b) *Loan purposes.* Loans to cranberry growers will be restricted to the

purposes authorized in paragraphs (a), (b), (e), and (1) of § 381.5. In addition, loans may include funds for the payment of bills already incurred for annual recurring expenses in connection with the cranberry crop being financed and to make necessary repairs to essential machinery and irrigation equipment.

(c) *Terms.* Paragraphs (a) and (b) of § 381.7 are not applicable. Instead, loans to cranberry growers will be scheduled for repayment as the income from the crop being financed is expected to be received.

(d) *Security.* Loans to cranberry growers will be secured in accordance with the applicable requirements of § 381.8 but title evidence will not be required in connection with real estate liens. Also, an assignment will be obtained and accepted by the marketing facility covering the cranberry crop being financed.

(e) *Loan processing.* Paragraph (c) of § 381.9 is modified hereby to provide for the following:

(1) In Part 1 of Form FHA-910, "Statement of Losses and Certifications," the applicant will show only the number of barrels of berries produced during the previous year and the amount per barrel advanced to him by the marketing cooperative. If he has other crops, he will show the total production for the previous year and the income therefrom. Part 2 will be completed if applicable.

(2) Part 3 of Form FHA-910 will be revised by deleting from the first paragraph "(1) that I have suffered substantial production losses, due to natural causes, as shown in Parts 1 and 2, above, and" so that the applicant will certify only that he is unable to obtain needed credit.

(3) Part 4 of Form FHA-910 will be revised by deleting from the first sentence "(1) the above applicant has suffered substantial damage as a result of natural causes as shown above," so that the County Committee will not make a certification that the applicant has had substantial damage as a result of natural causes.

(R.S. 161, sec. 2, 63 Stat. 44, as amended, sec. 2, 67 Stat. 150; 5 U.S.C. 22, 12 U.S.C. 1148a-2, 1148a-4; Order of Acting Sec. of Agr., 19 F.R. 74, 22 F.R. 8188)

Dated March 17, 1960.

K. H. HANSEN,
Administrator,
Farmers Home Administration.

[F.R. Doc. 60-2643; Filed, Mar. 23, 1960;
8:50 a.m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Cor- poration, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

PART 438—NAVAL STORES

Subpart—1960 Gum Naval Stores Price Support Loan Program

Statement with respect to the Gum
Naval Stores Price Support Loan Pro-

gram for the calendar year 1960, formulated by the Commodity Credit Corporation and the Commodity Stabilization Service (hereinafter referred to as "CCC" and "CSS").

Sec.	
438.1101	Administration.
438.1102	Eligible producer.
438.1103	Eligible naval stores.
438.1104	Eligible turpentine.
438.1105	Eligible rosin.
438.1106	Eligible oleoresin.
438.1107	Eligible metal drums.
438.1108	Availability of loans.
438.1109	Rate of loan to producers.
438.1110	Storage provisions.
438.1111	Maturity.
438.1112	Redemption.
438.1113	Rights of CCC upon maturity.
438.1114	Personal liability.

AUTHORITY: §§ 438.1101 to 438.1114 issued under sec. 4(d), 62 Stat. 1070, 15 U.S.C. 714b. Interprets or applies sec. 5(a), 62 Stat. 1072, 15 U.S.C. 714c; sec. 301, 63 Stat. 1053, 7 U.S.C. 1447.

§ 438.1101 Administration.

The Naval Stores Branch, Tobacco Division, CSS, will supervise the administration of the program. CCC will make a loan to the American Turpentine Farmers Association Cooperative, Valdosta, Georgia (hereinafter referred to as the "Association"), under a Loan Agreement which will enable the Association in turn to make loans to eligible producers on eligible naval stores, to store or supervise the storage of the collateral, to perform related field administration functions, to arrange for redemptions, and to collaborate in the liquidation of unredeemed collateral. The CSS Commodity Office, Dallas, Texas, will perform accounting and auditing functions.

§ 438.1102 Eligible producer.

A producer will be eligible for loans if he (a) is a member of the Association under membership requirements approved by CCC (no producer who is otherwise eligible may be excluded from membership in the Association), (b) is a cooperator in the 1960 Naval Stores Conservation Program of the United States Department of Agriculture or otherwise follows one or more good forestry conservation practices established by State and Federal forestry services, as determined by the Association, (c) has made satisfactory arrangements to pay any indebtedness to the United States Department of Agriculture or any agency thereof, as evidenced by the registers of indebtedness maintained by the Agricultural Stabilization and Conservation county committees of the United States Department of Agriculture, and (d) has executed, and has not breached his obligations under, the Producer's Marketing Agreement (ATFA Form 1-1960), or any other similar agreement.

§ 438.1103 Eligible naval stores.

"Eligible naval stores" are eligible turpentine, eligible rosin and the turpentine and rosin content in eligible oleoresin.

§ 438.1104 Eligible turpentine.

"Eligible turpentine" is gum turpentine which (a) was produced from eligible oleoresin, (b) is free and clear

from all liens and encumbrances, (c) has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, (d) is "waterwhite" in color, (e) is free from excess resin acids, as evidenced by a total acid number of not more than 0.50, and (f) conforms as to specific gravity to Federal Specifications TT-T-801a, to wit: a maximum of 0.875 and a minimum of 0.860 taken at 60 degrees over 60 degrees Fahrenheit.

§ 438.1105 Eligible rosin.

"Eligible rosin" is gum rosin which (a) was produced from eligible oleoresin, (b) grades "K" or better, (c) is free and clear from all liens and encumbrances, (d) has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, (e) is packed to the net weight approved by CCC, in eligible metal drums, (f) is transparent, (g) is free from visible foreign materials and contains no extraneous matter resulting from chemical or other treatment of the rosin, or of the oleoresin or the trees from which it came, and (h) conforms as to softening point to not less than Federal Specifications LLL-R-626b, to wit: 158 degrees Fahrenheit (American Society for Testing Materials Methods No. E-28-51T). Rosin must be federally inspected and weighed or the weights checked prior to tender for loan.

§ 438.1106 Eligible oleoresin.

"Eligible oleoresin" is oleoresin (a) which was produced in 1960 in the United States by an eligible producer, (b) which is free and clear from all liens and encumbrances, (c) the turpentine or rosin content in which has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, and (d) which will yield turpentine of the prescribed quality, and rosin of the prescribed grades and quality. When a producer's eligible oleoresin was commingled with oleoresin produced by other producers in the processing operation, the turpentine and rosin tendered for loan by the producer as representing the processed equivalent of his eligible oleoresin will be deemed to be, if otherwise eligible, eligible turpentine and eligible rosin produced by such producer.

§ 438.1107 Eligible metal drums.

"Eligible metal drums" are drums conforming to the specifications for metal drums approved by CCC, obtainable from and on file in the office of the Association.

§ 438.1108 Availability of loans.

(a) Under the Loan Agreement, CCC will make a loan to the Association for the purpose of enabling the Association to make loans available, or to make loans, to eligible producers of eligible naval stores produced in 1960. The loan to the Association will be in an amount equal to (1) the amount of the loans made by the Association to producers, (2) the administrative and operating expenses,

approved by CCC, incurred by the Association in connection with making loans available and the making of loans, and the handling, preservation and sale of pledged naval stores, (3) the storage charges after naval stores are pledged, and (4) an indemnification charge to cover the assumption by CCC of the risk of loss on rosin and rosin content in oleoresin (the storage rate for turpentine includes insurance).

(b) Each producer desiring to obtain loans will execute a Producer's Marketing Agreement with the Association. Each loan will be secured by a pledge by the producer to the Association of eligible turpentine, eligible rosin, or unprocessed turpentine or rosin content in eligible oleoresin, and the Association, in turn, will pledge the same to CCC as security for the loan made by CCC to the Association. Loans on rosin will be made only on full drums thereof, and loans on the rosin content in oleoresin, only upon the equivalent of full drums thereof. No loans will be made on any naval stores offered later than December 31, 1960.

(c) Eligible naval stores will be deemed tendered for loan by the producer to the Association only when such naval stores have been (1) processed (except where unprocessed turpentine or rosin content in oleoresin is offered for loan), (2) placed in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement (ATFA Form 2-1960), or in the custody of the Association acting under a Storage Agreement with CCC, and (3) offered for loan on a Producer's Offer (ATFA Form 3A-1960) (the date of which, unless a first offer and dated not later than April 30, 1960, shall be not later than thirty (30) days from the date of delivery of eligible oleoresin for processing). If there are any liens or encumbrances on the naval stores offered for loan, proper waivers are required on a Lienholders' Waiver and Agreement (ATFA Form 3-1960).

§ 438.1109 Rate of loan to producers.

The Association will make loans to producers based on the rate of \$28.98 per standard barrel (435 lbs. net weight each) of crude pine gum, processed basis. This support level, the same as for the 1959 program, initially will be allocated to the individual commodities to provide a loan rate for turpentine of fifty cents (50¢) per gallon of 7.2 pounds in bulk, and loan rates for rosin of \$7.97 for grade WG, \$8.12 for grades X and WW, and \$7.72 for the grades N, M, and K per hundred pounds net packed in eligible metal drums. These initial rates are the same as were in effect throughout the 1959 program. CCC reserves the right to revise such allocation of loan values between turpentine and rosin during the loan period, within the fixed loan rate per barrel of gum. The amount which the Association will lend to any producer

will be determined by applying the applicable loan rates in effect for turpentine and rosin on the date of the applicable Producer's Offer to the quantities thereof tendered for loan.

§ 438.1110 Storage provisions.

The producer will be required to place naval stores offered for loan in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement with the Association (this Agreement will be assigned by the Association to CCC), or in the custody of the Association acting under a Storage Agreement with CCC. All processing charges, including the cost of the eligible metal drums for rosin, and all storage and other warehouse charges to the date of tender for loan will be borne by the producer. Storage charges accruing after the naval stores are pledged are payable by CCC, and comprise part of the loan by CCC to the Association.

§ 438.1111 Maturity.

The loan made by CCC to the Association and the loans made by the Association to producers will be due and payable upon demand, or on July 1, 1961, whichever is earlier.

§ 438.1112 Redemption.

(a) Subject to terms and conditions of the Producer's Marketing Agreement, the producer may redeem pledged naval stores, prior to maturity of the loan, upon application to the Association and payment of the redemption price. The producer's right to redeem may be exercised for him and in his behalf by the Association and the producer's exercise of the right of redemption is subject to the prior exercise thereof by the Association. Subject to the terms and conditions of the Loan Agreement, the Association may redeem naval stores pledged by the Association to CCC, upon application to CCC therefor prior to the maturity of the loan and upon payment of the redemption price.

(b) The redemption price shall be determined by CCC and shall be the amount outstanding under the Loan Agreement, including any unpaid accrued expenses and charges, plus interest at the rate of three and one-half percent (3½%) per annum, applied to the gallons of turpentine, pounds of rosin, or the content thereof in oleoresin, respectively, to be redeemed. Any naval stores redeemed shall not be thereafter eligible for loan.

§ 438.1113 Right of CCC upon maturity.

Upon maturity of the loan, CCC will take title to any unredeemed naval stores, without a sale thereof, and CCC shall have no obligation to pay or account to the Association or the producer for any market value which such naval stores may have in excess of the amount of the loan, plus interest and charges.

§ 438.1114 Personal liability.

The loans will be nonrecourse, except that any fraudulent representation by

the producer or the Association in the loan documents, or in obtaining a loan, will render him or it subject to criminal prosecution under applicable law, and personally liable for the amount by which the proceeds received upon the disposition of the pledged naval stores are less than the amount of indebtedness incurred by the Association with respect thereto.

Issued this 21st day of March 1960.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 60-2654; Filed, Mar. 23, 1960;
8:51 a.m.]

Chapter V—Agricultural Marketing Service, Department of Agriculture

PART 502—SPECIAL MILK PROGRAM

Reimbursement

This amendment postpones the effective date of the reduction in maximum rates of reimbursement, from April 1, 1960 to May 1, 1960, and increases the amount of the reduction from ½ cent per half pint to 1 cent per half pint. In the event that legislation now pending should authorize additional funds for the 1960 fiscal year, no reduction in rates will be necessary, and the present rates of 4 cents and 3 cents will be retained.

Paragraph (b) of § 502.208 of the regulations governing the operation of the Special Milk Program, as amended, is hereby amended to read as follows:

§ 502.208 Reimbursement.

(b) (1) Until May 1, 1960, the maximum rate of reimbursement for schools that offer milk to children as a separately priced item shall be 4 cents per half pint in schools that serve Type A lunches under the National School Lunch Program. For other schools and for child-care institutions that offer milk to children as a separately priced item, the maximum rate of reimbursement shall be 3 cents per half pint.

(2) Effective May 1, 1960, the maximum authorized rates of reimbursement shall be 3 cents per half pint for schools that serve Type A lunches under the National School Lunch Program. For other schools and for child-care institutions that offer milk to children as a separately priced item the maximum authorized rate of reimbursement shall be 2 cents per half pint.

(3) Less-than-maximum rates of reimbursement shall be assigned, or assigned rates shall be adjusted, if circumstances indicate such action is advisable.

CLARENCE L. MILLER,
Assistant Secretary.

MARCH 18, 1960.

[F.R. Doc. 60-2642; Filed, Mar. 23, 1960;
8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board REDESIGNATION OF SUBCHAPTERS

EDITORIAL NOTE: Subchapters B, C, D, E, and F of Chapter II Title 14, Code of Federal Regulations, are hereby redesignated Subchapters A, B, C, D, and E as follows:

Subchapter A—Economic Regulations, Parts 200–299.

Subchapter B—Procedural Regulations, Parts 300–311.

Subchapter C—Safety Investigation Regulations, Parts 320–321.

Subchapter D—Special Regulations, Part 375.

Subchapter E—Policy Statements, Part 399.

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 59-WA-348; Amdt. 251]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Modification

On December 16, 1959, a notice of proposed rule making was published in the *FEDERAL REGISTER* (24 F.R. 10160) stating that the Federal Aviation Agency proposed to modify VOR Federal airway No. 83 between Santa Fe, N. Mex., and Alamosa, Colo., via a VOR to be commissioned approximately April 7, 1960, near Taos, N. Mex.

Because of leasing difficulties, the site listed in the notice is not available. The new coordinates for the Taos VOR are latitude 36°36'29" N., longitude 105°54'43" W. Subsequent to the publication of the Notice, the commissioning date of the VOR was rescheduled to approximately July 1, 1960. Although not mentioned in the Notice, Victor 83 is presently dog-legged in order to avoid a conflict with Prohibited Area P-207 via the Santa Fe VOR 010° True and the Alamosa, Colo., 183° True radials. The new coordinates of the relocated Taos VOR require a one degree change in the present dog-leg existing on this airway. Therefore, it is now necessary to dog-leg the segment of this airway between the Santa Fe VOR and the Taos VOR via the Santa Fe VOR 010° True and the Taos VOR 182° True radials. No additional designation of airspace is involved.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530)

and for the reasons set forth in the notice, § 600.6083 (24 F.R. 10514) is amended as follows:

In the text of § 600.6083 *VOR Federal airway No. 83 (Carlsbad, N. Mex., to Kiowa, Colo.)*, delete "INT of the Santa Fe VOR 010° and the Alamosa VOR 183° radials;" and substitute therefor "INT of the Santa Fe VOR 010° T and the Taos VOR 182° T radials; Taos, N. Mex., VOR;"

This amendment shall become effective 0001 e.s.t. July 28, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2617; Filed, Mar. 23, 1960; 8:46 a.m.]

[Airspace Docket No. 60-WA-26; Amdt. 250]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Modification

The purpose of this amendment to § 600.6021 of the regulations of the Administrator is to modify the segment of VOR Federal airway No. 21 between Cut Bank, Mont., and the United States-Canadian Border via the Cut Bank VOR direct radial to the Lethbridge, Alberta, Canada, VOR.

The Canadian Department of Transport has advised that action is being taken to extend Victor 21 from the United States-Canadian Border to the Lethbridge VOR via the direct radials between the Cut Bank and Lethbridge VOR's. This action will necessitate the realignment of Victor 21 by one degree clockwise (348° True) from the present alignment (347° True) to coincide with the Lethbridge VOR direct radial to Cut Bank. The control areas associated with this airway are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.6021 (24 F.R. 10508) is amended as follows:

In the text of § 600.6021 *VOR Federal airway No. 21 (Long Beach, Calif., to United States-Canadian Border)*, delete "Cut Bank omnirange 347° radial." and substitute therefor "Cut Bank VOR 348° T radial."

This amendment shall become effective 0001 e.s.t. May 5, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2618; Filed, Mar. 23, 1960; 8:46 a.m.]

[Airspace Docket No. 59-FW-10]

[Amdt. 265]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 304]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSI- TIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway and Associated Control Areas

On December 23, 1959, a notice of proposed rule making was published in the *FEDERAL REGISTER* (24 F.R. 10459) stating that the Federal Aviation Agency proposed the revocation of a segment of Amber Federal airway No. 9 and its associated control areas from Charleston, S.C., to Wilmington, N.C.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons set forth in the notice, §§ 600.109 (24 F.R. 10495), 601.109 (24 F.R. 10544), and 601.4109 (24 F.R. 10594) are amended as follows:

1. Section 600.109 is amended to read:

§ 600.109 Amber Federal airway No. 9
(Corapeake, N.C., to Norfolk, Va.).

From the INT of the SE course of the Waverly, Va., RR and the SW course of the Norfolk, Va., RR to the Norfolk, Va., RR.

2. Section 601.109 is amended to read:

§ 601.109 Amber Federal airway No. 9
control areas (Corapeake, N.C., to
Norfolk, Va.).

All of Amber Federal airway No. 9.

3. Section 601.4109 is amended to read:

§ 601.4109 Amber Federal airway No. 9
(Corapeake, N.C., to Norfolk, Va.).

Norfolk, Va., RR.

These amendments shall become effective 0001 e.s.t. June 2, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2613; Filed, Mar. 23, 1960;
8:45 a.m.]

[Airspace Docket No. 59-LA-55]

[Amdt. 272]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 320]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEG- MENTS

Revocation of Federal Airway, Asso- ciated Control Areas and Reporting Points

On December 23, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 10460) stating that the Federal Aviation Agency proposed to revoke in its entirety Red Federal airway No. 4 which extends from Las Vegas, N. Mex., to Tucumcari, N. Mex., together with its associated control areas and designated reporting points.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, §§ 600.204 (24 F.R. 10496), 601.204 (24 F.R. 10544) and 601.4204 (24 F.R. 10594) are amended as follows:

1. Section 600.204 *Red Federal airway No. 4 (Las Vegas, N. Mex., to Tucumcari, N. Mex.)*, is revoked.
2. Section 601.204 *Red Federal airway No. 4 control areas (Las Vegas, N. Mex., to Tucumcari, N. Mex.)*, is revoked.
3. Section 601.4204 *Red Federal airway No. 4 (Las Vegas, N. Mex., to Tucumcari, N. Mex.)*, is revoked.

These amendments shall become effective 0001 e.s.t. June 2, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2614; Filed, Mar. 23, 1960;
8:45 a.m.]

[Airspace Docket No. 59-NY-3e]

[Amdt. 227]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 268]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEG- MENTS

Revocation of Segment of Federal Airway and Associated Control Areas

On June 18, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 4966) stating that the Federal Aviation Agency was considering an amendment to §§ 600.684 and 601.684 of the regulations of the Administrator which would revoke the segment of Blue Federal airway No. 84, which extends from Bangor, Maine, to Millinocket, Maine, and its associated control areas.

As stated in the notice, the Federal Aviation Agency IFR peak day survey for each half calendar year 1958, showed only five aircraft movements for the segment of Blue 84 from Bangor to Millinocket. On the basis of this survey, the retention of this segment of Blue 84 and its associated control areas is unjustified as an assignment of airspace and the revocation thereof is in the public interest. This action will result in Blue 84 extending from Augusta, Maine, to Bangor.

Written comments concerning the proposed amendments were generally favorable, except for two, one objected in principle to the revocation of only a segment of an airway. The Federal Aviation Agency agrees that it would be preferable to revoke an entire airway in one action, but only when it is justified because of the lack of sufficient air traffic or other considerations. However, as a general matter, the agency feels that the public interest will best be served by releasing controlled airspace whenever the facts warrant. The Air Transport Association objected to the revocation until a Victor airway is established between Bangor and Millinocket. VOR Federal airway No. 471 between Bangor and Millinocket will be designated, effective on May 5, 1960, in Airspace Docket No. 59-WA-139. Therefore, concurrently with the designation of Victor 471 between Bangor and Millinocket, the segment of Blue 84 between these two terminals will be revoked.

Although not mentioned in the notice, § 601.4684, pertaining to reporting points on Blue 84, will be amended by changing the caption to indicate that the airway terminates at Bangor, Maine.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530),

§§ 600.684 (24 F.R. 10503), 601.684 (24 F.R. 10546), and 601.4684 (24 F.R. 10597) are amended to read as follows:

§ 600.684 Blue Federal airway No. 84 (Augusta, Maine, to Bangor, Maine).

From the Augusta, Maine, RR via the Rockland, Maine, RBN; Bar Harbor, Maine, RBN; to the Bangor, Maine, RR.

§ 601.684 Blue Federal airway No. 84 control areas (Augusta, Maine, to Bangor, Maine).

All of Blue Federal airway No. 84.

§ 601.4684 Blue Federal airway No. 84 (Augusta, Maine, to Bangor, Maine).

No reporting designation.

These amendments shall become effective 0001 e.s.t. June 2, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2616; Filed, Mar. 23, 1960;
8:46 a.m.]

[Airspace Docket No. 59-LA-54]

[Amdt. 277]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 328]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEG- MENTS

Revocation of Federal Airway, Asso- ciated Control Areas and Reporting Points

On December 23, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 10461) stating that the Federal Aviation Agency proposed to revoke in its entirety Red Federal airway No. 83, its associated control areas and designated reporting points.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, §§ 600.283 (24 F.R. 10499), 601.283 (24 F.R. 10545) and 601.4283 (24 F.R. 10595) are amended as follows:

1. Section 600.283 *Red Federal airway No. 83 (Gila Bend, Ariz., to Tucson, Ariz.)*, is revoked.

2. Section 601.283 *Red Federal airway No. 83 control area (Gila Bend, Ariz., to Tucson, Ariz.)*, is revoked.

3. Section 601.4283 *Red Federal airway No. 83 (Gila Bend, Ariz., to Tucson, Ariz.)*, is revoked.

These amendments shall become effective 0001 e.s.t. June 2, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2620; Filed, Mar. 23, 1960;
8:46 a.m.]

[Airspace Docket No. 59-FW-73; Amdt. 303]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Control Zone

On December 12, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 10082) stating that the Federal Aviation Agency was proposing to modify the Houston, Tex., control zone.

No adverse comments were received regarding the proposed amendment, however, the Aircraft Owners and Pilots Association suggested that a review of the Houston control zone be made to determine if a control zone of less than 10-mile radius would satisfactorily provide for the handling of traffic, departing and arriving at the Houston International Airport. The Federal Aviation Agency is reviewing this control zone to determine if a 5-mile radius zone will meet the criteria for air traffic management. However, in the interim, the control zone is being modified as proposed.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons set forth in the notice, § 601.2031 (24 F.R. 10572) is amended to read:

§ 601.2031 Houston, Tex., control zone.

Within a 10-mile radius of the geographical center of the Houston International Airport (Lat. 29°38'40" N, Long. 95°16'30" W), and within a 5-mile radius of the geographical center of Ellington Air Force Base (Lat. 29°36'25" N, Long. 95°09'20" W).

This amendment shall become effective 0001 e.s.t. May 5, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2615; Filed, Mar. 23, 1960;
8:45 a.m.]

[Airspace Docket No. 59-NY-29; Amdt. 319]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Modification of Control Area Extension

On December 23, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 10457) stating that the Federal Aviation Agency proposed to modify the Mansfield, Ohio, control area extension by enlarging it to include additional airspace to the south and west of the Mansfield VORTAC.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, § 601.1251 (24 F.R. 10560) is amended to read:

§ 601.1251 Control area extension (Mansfield, Ohio).

All that area within a 15 mile radius of the Mansfield VORTAC including the area within 5 miles either side of the 130° True radial of the Mansfield VORTAC extending from the VORTAC to a point 25 miles SE and including all that area S and W of the Mansfield VORTAC bounded on the E by VOR Federal airway No. 133, on the S by VOR Federal airway No. 210, on the W by VOR Federal airway No. 47 and on the N by VOR Federal airway No. 8.

This amendment shall become effective 0001 e.s.t. June 2, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2621; Filed, Mar. 23, 1960;
8:46 a.m.]

[Airspace Docket No. 59-FW-49; Amdt. 50]

PART 602—ESTABLISHMENT OF CODED JET ROUTES AND NAVIGATIONAL AIDS IN THE CONTINENTAL CONTROL AREA

Revocation of Coded Jet Route

On January 6, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 85) stating that the Federal Aviation Agency proposed to revoke L/MF jet route No. 27 from San Antonio, Tex., to Peoria, Ill.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, Part 602 (14 CFR, 1958 supp., Part 602) is amended as follows:

Section 602.127 L/MF jet route No. 27 (San Antonio, Tex., to Peoria, Ill.) is revoked.

This amendment shall become effective 0001 e.s.t. June 2, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2619; Filed, Mar. 23, 1960;
8:46 a.m.]

[Airspace Docket No. 59-WA-427, Amdt. 51]

PART 602—ESTABLISHMENT OF CODED JET ROUTES AND NAVIGATIONAL AIDS IN THE CONTINENTAL CONTROL AREA

Modification of Coded Jet Route

On December 23, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 10462) stating that the Federal Aviation Agency proposed to modify the segment of L/MF jet route No. 49 between Pittsburgh, Pa., and Albany, N.Y.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, § 602.149 (24 F.R. 1287) is amended to read:

§ 602.149 L/MF jet route No. 49 (Morgantown, W. Va., to Presque Isle, Maine).

From the Morgantown, W. Va., RR via the Pittsburgh, Pa., RR; Philipsburg, Pa., RR; Albany, N.Y., RR; Millinocket, Maine, RR to the Presque Isle, Maine, RR.

This amendment shall become effective 0001 e.s.t. June 2, 1960.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2622; Filed, Mar. 23, 1960;
8:46 a.m.]

[Reg. Docket No. 311; Amdt. 159]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Alterations

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. Pursuant to authority delegated to me by the Administrator (24 F.R. 5662), I find that a situation exists requiring immediate action in the interest of safety, that notice and public procedure hereon are impracticable, and that good cause exists for making this amendment effective on less than thirty days' notice.

Part 609 (14 CFR, Part 609) is amended as follows:

1. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en-route operation in the particular area or as set forth below:

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELLED, EFFEC. UPON PUBLICATION IN FEDERAL REGISTER. DECOMMISSIONED 16 FEB. 60.

City, New York; State, N.Y.; Airport Name, International; Elev., 12'; Fac. Class., ILS; Ident., IDL; Procedure No. ILS-4L, Amdt. 17; Eff. Date, 20 June 59; Sup. Amdt. No. 16; Dated, 25 Jan. 58

LaGuardia LFR.....	RWC MHW.....	Direct.....	1500	T-dn.....	300-1	300-1	200-1½
Port Chester FM.....	RWC MHW (Final).....	Direct.....	1500	C-dn.....	500-1	600-1	600-1½
Glen Cove MHW.....	RWC MHW.....	Direct.....	1500	S-dn-22.....	400-1	400-1	400-1
				A-dn.....	600-2	600-2	600-2

Radar vectors may be substituted for the above transitions.

Procedure turn W side NE crs, 044° Outbnd, 224° Inbnd, 1900' within 10 mi of New Rochelle MHW.

No glide slope or markers. Final approach altitudes and distances to Runway 22 from RWC MHW 1500', 7.7 mi; from LGA LFR 1000', 2.8 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 mi after passing LGA LFR, climb to 1500' on SW crs LGA ILS or LFR or (when directed by ATC) (2) climb to a higher altitude or (3) make a climbing left turn to 1500', return to RWC MHW.

CAUTION: Standard clearance not provided over obstructions in circling area of airport.

City, New York; State, N.Y.; Airport Name, LaGuardia; Elev., 20'; Fac. Class., ILS; Ident., LGA; Procedure No. ILS-22, Amdt. 9; Eff. Date, 9 Apr. 60; Sup. Amdt. No. 8; Dated, 6 Feb. 60

2. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions.....		Within 15 miles...	2000		Precision approach		
				T-dn.....	300-1	300-1	200-1½
				C-dn.....	500-1	500-1	500-1½
				S-dn 11.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar terminal area transition altitudes—all bearings are from the radar site with sector azimuths progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make an immediate left turn to 320°, climb to 2000', then go direct to Bedford "HW" facility or as approach control directs.

LOSS OF COMMUNICATIONS PROCEDURE: Climb to 2000', then go direct to Bedford "HW" facility or as approach control directs.

CAUTION: 570' MSL tower 3 miles NE of airport. Radar Control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 570' MSL tower 3 miles NE of airport.

NOTE: This procedure premised on the use of USAF GCA.

Major Change: Deletes Surveillance Approach.

City, Boston-Bedford; State, Mass.; Airport Name, Hanscom; Elev., 135'; Fac. Class., Hanscom; Ident., Radar; Procedure No. 1, Amdt. 2; Eff. Date, 9 Apr. 60; Sup. Amdt. No. 1; Dated, 18 Aug. 56

These procedures shall become effective on the dates indicated on the procedures.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on March 14, 1960.

OSCAR BAKKE,

Director, Bureau of Flight Standards.

[F.R. Doc. 60-2447; Filed, Mar. 23, 1960; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 729—PEANUTS

Revision of Apportionment to States of the National Acreage Allotment for the 1960 Crop of Peanuts

Basis and purpose. The purpose of this document is to revise the apportionment of the 1960 national peanut allotment among the several peanut-producing States previously made on October 9, 1959 (24 F.R. 8211). This revision is necessary to apportion to peanut-producing States the reserve of 2,012 acres which was set aside for establishing 1960 peanut acreage allotments for new farms. This document apportions 1,076.6 acres among the peanut-producing States on the basis of applications approved under the provisions of § 729.1021, as amended, of the Allotment and Marketing Quota Regulations for Peanuts of the 1959 and Subsequent Crops (23 F.R. 8515, 24 F.R. 2677, 6803, 9611, 25 F.R. 897). The remainder of the reserve, 935.4 acres, is hereby apportioned on exactly the same basis as the 1960 national acreage allotment was previously apportioned to the States.

Farmers in the southernmost areas of the United States will soon begin planting the 1960 crop of peanuts and farmers in the other peanut-producing areas of the nation are completing their plans for the production of peanuts in 1960. In order that the State and county Agricultural Stabilization and Conservation committees may apportion the additional acreage provided herein at the earliest possible date, it is essential that this revision of apportionment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure, and effective date requirements of the Administrative Procedure Act (5 U.S.C. 1001-1011) is impracticable and contrary to the public interest, and the revised apportionment of the national peanut acreage allotment among the peanut-producing States shall become effective upon filing of this document with the Director, Division of the Federal Register.

For the purpose of apportioning the national reserve of 2,012.0 acres, § 729.1103 (24 F.R. 8211) is amended to read as follows:

§ 729.1103 Apportionment of the national peanut acreage allotment for the crop produced in the calendar year 1960.

(a) The national peanut allotment proclaimed in § 729.1102 is hereby apportioned as follows:

State:	1960 State acreage allotment
Alabama -----	218,488.2
Arizona -----	717.4
Arkansas -----	4,225.5
California -----	940.5
Florida -----	55,345.7

State—Continued

Georgia -----	528,471.2
Louisiana -----	1,965.1
Mississippi -----	7,564.4
Missouri -----	247.1
New Mexico -----	5,021.9
North Carolina -----	169,089.2
Oklahoma -----	138,338.7
South Carolina -----	13,825.3
Tennessee -----	3,629.7
Texas -----	356,427.7
Virginia -----	105,702.4

Total ----- 1,610,000.0

(b) The additional acreage hereby apportioned to each State shall be used to the extent necessary to establish new farm allotments on the basis of applications approved under the provisions of § 729.1021 and the remaining acreage shall be available for use under the provisions of §§ 729.1016(b) (5) and 729.1017 of the Allotment and Marketing Quota Regulations for Peanuts of the 1959 and Subsequent Crops, as amended (23 F.R. 8515, 24 F.R. 2677, 6803, 9611, 25 F.R. 897).

(Secs. 358, 375, 55 Stat. 88, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1358, 1375)

Issued at Washington, D.C., this 21st day of March 1960.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 60-2655; Filed, Mar. 23, 1960;
8:51 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order No. 75]

PART 975—MILK IN NORTHEASTERN OHIO MARKETING AREA

Order Amending Order

§ 975.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of the said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Northeastern Ohio marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions

thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than April 1, 1960. The provisions of the said order are known to handlers. The decision of the Assistant Secretary containing all amendment provisions of this order was issued March 14, 1960. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective April 1, 1960, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.).

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. The order is hereby amended as follows:

1. Delete § 975.8(a) (2) and substitute therefor the following:

(2) Total disposition of such fluid milk products on routes is 50 percent or more of total receipts during the month of milk approved for fluid use by a duly authorized health authority from dairy farmers, through reload points and from other plants, except that during each of the months of April through July the percentage requirements of this paragraph shall be 40 percent if such plant

qualified during each of the preceding months of August through March.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Issued at Washington, D.C., this 18th day of March 1960, to be effective on and after the 1st day of April 1960.

CLARENCE L. MILLER,
Assistant Secretary.

[F. R. Doc. 60-2641; Filed, Mar. 23, 1960; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7526 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

American Registry of Doctor's Nurses, et al.

Subpart—Advertising falsely or misleadingly: § 13.10 *Advertising falsely or misleadingly*; § 13.15 *Business status, advantages, or connections*; § 13.15-125 *Individual or private business being*; § 13.15-125(a) *Association*; § 13.15-200 *Nonprofit character*; § 13.215 *Seals, emblems, or awards*. Subpart—Offering unfair, improper and deceptive inducements to purchase or deal: § 13.1930 *"Degrees", "certificates", etc.*; § 13.2065 *Seals, emblems or awards*. Subpart—Using misleading name—Vendor: § 13.2405 *Individual or private business being professional person or association*; § 13.2430 *Nonprofit character*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, American Registry of Doctor's Nurses, et al., Washington, D.C., Docket 7526, February 17, 1960]

In the Matter of American Registry of Doctor's Nurses, a Corporation, and Ralph Z. Bell, Robert L. S. Bickford, Phillip Sellers and Evelyn W. Bickford, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a Washington, D.C. concern engaged in selling memberships in its so called "Registry", insurance policies, certificates, pins consisting of the caduceus with the letters "RDN" or "DN" superimposed, emblems and other insignia and indicia, to persons employed in doctor's offices, with representing falsely by use of its corporate name that its business was a non-profit organization of professional nurses, authorized to certify that applicants met the occupational requirements of doctor's nurses; and representing falsely through such trade name, certificates, pins, etc., that the purchaser would acquire thereby a recognized professional status.

Bases on a consent agreement, the hearing examiner made his initial decision and order to cease and desist which

became on February 17 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That American Registry Doctor's Nurses, a corporation, and its officers, and Ralph Z. Bell, individually and formerly an officer of said corporation, Robert L. S. Bickford and Evelyn W. Bickford, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the operation of a membership organization of persons employed in doctors' offices or any other membership organization or in connection with the offering for sale, sale or distribution of memberships, certificates, pins, emblems or other insignia or indicia or policies of insurance or any other articles of merchandise, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the trade name of American Registry of Doctor's Nurses without clearly and conspicuously revealing in immediate connection therewith that it is a private business operated for a profit; or using any other trade name which implies, contrary to fact, that it is a non-profit organization, without clearly and conspicuously revealing in immediate connection therewith that it is a private business operated for a profit;

2. Representing that respondents are a certifying, accrediting or qualifying agency authorized or competent to establish the occupational requirements for doctors' nurses or to determine the qualifications of individuals as doctors' nurses; or representing that respondents are a certifying, accrediting or qualifying agency authorized or competent to establish the occupational requirements for any occupation or profession or to determine the qualifications of individuals as members of any occupation or profession, unless such is the fact;

3. Furnishing, supplying, or selling memberships, certificates, pins, emblems or other insignia or indicia to persons other than graduate, registered or licensed nurses, which represent that the wearer is a graduate, registered or licensed nurse; or furnishing, supplying or selling memberships, certificates, pins, emblems or other insignia or indicia to persons which represent, contrary to fact, that such person is a qualified member of an occupation or profession.

It is further ordered, That the complaint be, and same hereby is, dismissed as to respondent Phillip Sellers.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered that respondents American Registry of Doctor's Nurses, a corporation, Ralph Z. Bell, individually, and Robert L. S. Bickford and Evelyn W. Bickford, individually and as officers of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the

manner and form in which they have complied with the order to cease and desist.

Issued: February 19, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-2633; Filed, Mar. 23, 1960; 8:48 a.m.]

[Docket 7426 o.]

PART 13—PROHIBITED TRADE PRACTICES

Edwin Leask and Charles A. Ferrari

Subpart—Using misleading name—Goods: § 13.2300 *Identity*; § 13.2315 *Nature*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Edwin Leask, Sidney, Australia, Docket 7426, February 18, 1960]

In the Matter of Edwin Leask, an Individual Trading and Doing Business as E. Leask, and Charles A. Ferrari, an Individual

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a lumber dealer in Sidney, Australia, and his American sales representative in Palo Alto, Calif., with describing—in sales orders, letters, invoices and by oral statements—as "Tasmanian Oak" or "Australian Oak", wood flooring which was not a species of oak, the most popular type of hardwood used for flooring in the United States, but was of the genus *Eucalyptus* which sold at a lower price than genuine oak.

On the basis of the record made in the usual proceedings, the hearing examiner made his initial decision including findings of fact, conclusions and order to cease and desist which became, on February 18, the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Edwin Leask, an individual trading as E. Leask, or trading under any other name or names, and Charles A. Ferrari, an individual, their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of lumber, wood or wood products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing through the use of the terms "Tasmanian Oak," "Australian Oak" or otherwise or placing in the hands of others the means of representing that lumber, wood or wood products which are not of the genus *Quercus* are a species of oak.

2. Misrepresenting or placing in the hands of others the means of misrepresenting in any manner the genus or species of any lumber, wood or wood products.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: February 18, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-2635; Filed, Mar. 23, 1960;
8:48 a.m.]

[Docket 7575 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

**Parker Publishing Co., Inc., and
Prentice-Hall, Inc.**

Subpart—Advertising falsely or misleadingly: § 13.170 *Qualities or properties of product or service*; § 13.170–52 *Medicinal, therapeutic, healthful, etc.*; § 13.170–70 *Preventive or protective*.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply Sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Parker Publishing Co., Inc., et al., New York, N.Y., Docket 7575, February 12, 1960]

In the Matter of Parker Publishing Company, Inc., a Corporation, and Prentice-Hall, Inc., a Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging two publishing corporations, one the wholly owned subsidiary of the other, with representing falsely, in advertising the book "How to Live 365 Days A Year" by John M. Schindler, M.D., that the method set out therein provided reliable treatment and cure for a great variety of ailments, an effective means of achieving healing without medicine or surgery, and a positive method of health control generally.

After acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist, which became, on February 12, the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Parker Publishing Company, Inc., a corporation, and Prentice-Hall, Inc., a corporation, their respective officers, directors, agents, representatives, and employees, directly or through any corporate or other device, in connection with the promotion, advertising, sale and distribution of the book entitled "How To Live 365 Days A Year" by John A. Schindler, M.D., or any other book or books of the same or of approximately the same, content, material and methods, whether sold under the same name or any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing directly or indirectly that the method set out in said book:

1. Provides and constitutes an adequate, effective or reliable treatment for chronic colds, allergies, asthma, head-

ache, migraine, sinus, cardiospasm, nausea, indigestion, gas pains, stomach pains, abdominal pains, ulcers, ulcer-like pains, colic, colitis, dizzy spells, gall bladder trouble, constipation, backache, arthritis, stiffness of joints, rheumatic pains, neuritis, nervous condition, insomnia, irritability, fatigue, general weakness, tiredness, aches and pains, glandular disturbances, sexual weakness, frigidity, fevers, bladder trouble, rashes and painful skin diseases, cramps, convulsions, degenerative diseases, diabetes, high blood pressure, angina pectoris, cancer, heart trouble, tumors, and enables one to eliminate or kick all of these health wreckers, out of one's life and will enable one to get rid of most ailments of any kind.

2. Provides and constitutes an adequate, effective or reliable means of fighting infection, preventing disease or defending against it when it attacks.

3. Will make one well if one is sick, will give one strength and energy if one is tired and run down, will enable one to pass tensions out of one's life if one is high strung, nervous, jumpy, a poor sleeper or incapable of relaxing, and will enable one to regain his or her appetite, energy and vitality and sleep well.

4. Will stop one's suffering and restore good health, will make and keep one well and in good health all one's life, will add years to one's life or give life long health and vitality and will keep one from growing old before one's time.

5. Provides and constitutes an adequate effective or reliable means of achieving medical healing without medicine or surgery and constitutes a positive method of health control, a miraculous health discovery, or the secret of good health.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: February 12, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-2634; Filed, Mar. 23, 1960;
8:48 a.m.]

Title 19—CUSTOMS DUTIES

**Chapter I—Bureau of Customs,
Department of the Treasury**

[T.D. 55077]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

Warehouse Withdrawals

Withdrawals for consumption of merchandise in bonded warehouses cannot be completed until all duties and charges are paid. Dilatoriness on the part of

importers in making such payments results in backlogs of pending withdrawals which create administrative problems in accounting. To prevent such dilatory practice, § 8.4 of the Customs Regulations is amended to provide a reasonable time limit on the period withdrawals will be held for payment of duties and charges. Such period is 60 days.

Under § 8.37(a) of the Customs Regulations, withdrawals for consumption of merchandise in bonded warehouses are required to be filed in triplicate on customs Form 7505. Conditions peculiar to the port of New York relating to warehouse withdrawal procedure require a change in the number of copies of the withdrawal now filed. One additional copy of the withdrawal is required at New York for use in establishing necessary improvement in accounting controls.

1. Sections 8.4 and 8.37(a) are amended as follows:

Paragraph (g) of § 8.4 is amended by the addition at the end thereof of the following new sentence: "Unless all acts required by this paragraph and section 315(a) of the Tariff Act of 1930, as amended, including the deposit of required duties and taxes, are completed before the expiration of 60 days from the date of deposit of customs Form 7505, such form and any related papers shall be deemed abandoned."

2. The first sentence of § 8.37(a) is amended to read: "Withdrawals for consumption of merchandise in bonded warehouses shall be filed in triplicate on customs Form 7505 (in quadruplicate at the port of New York)."

(R.S. 161, as amended, 251, secs. 557, 624, 46 Stat. 759, 46 Stat. 744, as amended; 5 U.S.C. 22, 19 U.S.C. 1557, 1624)

Notice of the proposed issuance of the foregoing amendments was published in the FEDERAL REGISTER of November 3, 1959 (24 F.R. 8934) pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No data, views or arguments thereto were received. The amendments as set forth above are hereby adopted effective April 1, 1960.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

Approved: March 17, 1960.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 60-2650; Filed, Mar. 23, 1960;
8:51 a.m.]

Title 26—INTERNAL REVENUE, 1954

**Chapter I—Internal Revenue Service,
Department of the Treasury**

**SUBCHAPTER E—ALCOHOL, TOBACCO, AND
OTHER EXCISE TAXES**

[T.D. 6457]

PART 280—DEALERS IN TOBACCO MATERIALS

Miscellaneous Amendments

On January 7, 1960, a notice of proposed rule making with respect to regula-

tions designated as Part 280 of Title 26 of the Code of Federal Regulations was published in the FEDERAL REGISTER (25 F.R. 111). The purposes of the proposal were to implement the provisions of the Internal Revenue Code of 1954, as amended by section 202 of the Excise Tax Technical Changes Act of 1958 (Public Law 85-859, 72 Stat. 1275), and to make certain clarifying and conforming changes in Part 280.

No data, views, or arguments having been received during the period of 30 days prescribed in the notice, the regulations so published are hereby adopted subject to the editorial changes set forth below in paragraph 1.

PARAGRAPH 1. Section 280.65, as set forth in paragraph 20 of the appendix to the notice of proposed rule making, is revised in the first sentence by deleting "list" and inserting in its place "by listing", and by inserting "shall" before "designate".

(68A Stat. 917; U.S.C. 7805)

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

Approved: March 18, 1960.

FRED C. SCRIBNER, Jr.,
Acting Secretary of the Treasury.

§ 280.1 [Amendment]

1. Section 280.1 is amended by inserting the words "receipt, handling," preceding the word "sale".

§ 280.2 [Amendment]

2. Section 280.2 is amended, in the first sentence, by inserting a period in the place of the comma after the word "bonds" and deleting, immediately thereafter, the expression "applications, and permits."

3. Section 280.16 is amended to read as follows:

§ 280.16 Dealer in tobacco materials.

"Dealer in tobacco materials" shall mean any person who receives and handles tobacco materials for sale, shipment, or delivery to another dealer in such materials, to a manufacturer of tobacco products, or to a foreign country, Puerto Rico, the Virgin Islands, or a possession of the United States, or who receives tobacco materials, other than stems and waste, for use by him in the production of fertilizer, insecticide, or nicotine. The term "dealer in tobacco materials" shall not include (a) an operator of a warehouse who stores tobacco materials solely for a qualified dealer in tobacco materials, for a qualified manufacturer of tobacco products, for a farmer or a grower of tobacco, or for a bona fide association of farmers or growers of tobacco; (b) a farmer or grower of tobacco with respect to the sale of leaf tobacco of his own growth or raising, or a bona fide association of farmers or growers of tobacco with respect to sales of leaf tobacco grown by farmer or grower members, if the tobacco so sold is in the condition as cured on the farm: *Provided*, That such association maintains records of all leaf tobacco acquired or received and sold or otherwise disposed of by the association, as provided by this part; (c) a person who buys leaf tobacco on the

floor of an auction warehouse, or who buys leaf tobacco from a farmer or grower, and places the tobacco on the floor of such a warehouse, or who purchases and sells warehouse receipts without taking physical possession of the tobacco covered thereby; or (d) a qualified manufacturer of tobacco products with respect to tobacco materials received by him under his bond as such a manufacturer.

§ 280.18 [Deletion]

4. Section 280.18 is deleted.

5. A new § 280.20a to read as follows is inserted immediately after § 280.20:

§ 280.20a Internal revenue officer.

"Internal revenue officer" shall mean an officer or employee of the Treasury Department duly authorized to perform any function relating to the administration or enforcement of this part.

6. Section 280.22 is amended to read as follows:

§ 280.22 Manufactured tobacco.

"Manufactured tobacco" shall mean tobacco (other than cigars and cigarettes) prepared, processed, manipulated, or packaged, for removal, or merely removed, for consumption by smoking or for use in the mouth or nose, and any tobacco (other than cigars and cigarettes), not exempt from tax under Chapter 52, I.R.C., sold or delivered to any person contrary to the provisions of such chapter or regulations thereunder.

7. Section 280.23 and the heading are amended to read as follows:

§ 280.23 Manufacturer of tobacco products.

"Manufacturer of tobacco products" shall mean any person who manufactures cigars or cigarettes, or who prepares, processes, manipulates, or packages, for removal, or merely removes, tobacco (other than cigars and cigarettes) for consumption by smoking or for use in the mouth or nose, or who sells or delivers any tobacco (other than cigars and cigarettes) contrary to the provisions of Chapter 52, I.R.C., or regulations thereunder. The term "manufacturer of tobacco products" shall not include (a) a person who in any manner prepares tobacco or produces cigars or cigarettes, solely for his own personal consumption or use; (b) a proprietor of a customs bonded manufacturing warehouse with respect to the operation of such warehouse; (c) a farmer or grower of tobacco with respect to the sale of leaf tobacco of his own growth or raising, if it is in the condition as cured on the farm; or (d) a bona fide association of farmers or growers of tobacco with respect to sales of leaf tobacco grown by farmer or grower members, if the tobacco so sold is in the condition as cured on the farm, and if the association maintains records of all leaf tobacco, acquired or received and sold or otherwise disposed of, as provided by this part.

§ 280.28 [Deletion]

8. Section 280.28 is deleted.

9. Section 280.33 is amended to read as follows:

§ 280.33 Tobacco materials.

"Tobacco materials" shall mean tobacco other than manufactured tobacco, cigars, and cigarettes, and shall include, but not be limited to, tobacco in process, Perique, Black Pat, leaf tobacco, and tobacco scraps, cuttings, clippings, siftings, stems, and waste.

§ 280.40 [Amendment]

10. Section 280.40 is amended by inserting the word "internal" before the expression "revenue officers" in the heading.

§ 280.41 [Amendment]

11. Section 280.41 is amended by inserting the word "internal" before the expression "revenue officer".

12. Section 280.42 is amended to read as follows:

§ 280.42 Disposal of forfeited, condemned, and abandoned tobacco materials.

When in the opinion of any Federal, State, or local officer having custody of forfeited, condemned, or abandoned tobacco materials, the sale thereof will not bring a price equal to the Federal tax due and payable thereon and the expenses incident to the sale thereof, he shall not sell, nor cause to be sold, such materials for consumption in the United States. Where the materials are not sold, the officer may deliver them to a Federal or State hospital or institution (if they are fit for human consumption) or cause their destruction in the manner provided in § 280.125. Where such materials are sold, they shall not be released by the officer having custody thereof until they are properly packaged and taxpayment is evidenced by a receipt from the district director (the tax shall be considered as a portion of the sales price): *Provided*, That tobacco materials may be sold to the highest bidder, without regard to any tax, whether by sealed bid or otherwise, if such bidder is a manufacturer of tobacco products or a dealer in tobacco materials, qualified under Chapter 52, I.R.C., to engage in such business, such materials to be accounted for in records required to be kept by him for internal revenue purposes. In the case of such materials held by or for the Federal Government, the sale thereof shall be subject to the applicable provisions of the Regulations of the General Services Administration, Title 1, Personal Property Management.

(72 Stat. 1425, 68A Stat. 831; 26 U.S.C. 5753, 6807)

13. Section 280.52 is amended to read as follows:

§ 280.52 Farmer's or grower's agent.

A farmer or grower of tobacco, or a group or association of farmers or growers of tobacco, may employ an agent to sell his or their leaf tobacco for him or them. With respect to the sale of such tobacco, the agent may sell the tobacco in the same manner as the farmer or grower thereof provided he (a) does not, in the storage of the tobacco, mingle the tobacco received from one farmer or grower with that of another; (b) conducts all sales in the name of his prin-

principal or principals; (c) transmits to his principal or principals the proceeds of such sales, less the necessary selling expenses and the agent's salary or commission; and (d) keeps records of all receipts and sales of tobacco; to be open to inspection by internal revenue officers, showing with respect to tobacco received, the date thereof, the quantity received, and the name and address of the principal or principals, and with respect to tobacco sold, the date thereof, the quantity sold, the name and address of the purchaser, and the selling price. No particular form of records is prescribed, but the information required therein shall be readily ascertainable and they shall be retained for two years following the close of the year covered in such records. The agent may sell by mail; and checks, drafts, and money orders in payment for tobacco sold by him may be payable to his order.

(72 Stat. 1415; 26 U.S.C. 5702)

14. Section 280.53 and the heading are amended to read as follows:

§ 280.53 Bona fide association of farmers or growers.

A bona fide association of farmers or growers of tobacco, marketing leaf tobacco grown by farmer or grower members, if the tobacco so sold is in the condition as cured on the farm, and turning back to them the proceeds of sales, less the necessary selling expenses, on the basis of the quality and quantity of leaf tobacco furnished by them, shall, with respect to such tobacco, be exempt from the provisions of this part: *Provided*, That such association maintains records of all leaf tobacco acquired or received and sold or otherwise disposed of by the association. No particular form of records is prescribed, but the information required shall be readily ascertainable from such records. The records shall be retained for two years following the close of the year covered in such records and shall be made available for inspection by any internal revenue officer upon his request. Proof that an association is entitled to such exemption, in the form of certified copies of the by-laws, agreements, and contracts, under which it operates, shall be furnished to the assistant regional commissioner upon demand. The association may sell such leaf tobacco to any person and in any quantity, either loose or in a hogshead, case, bale, or other container.

(72 Stat. 1415; 26 U.S.C. 5702)

15. Section 280.54 is amended to read as follows:

§ 280.54 Speculator.

A person who (a) buys leaf tobacco on the floor of an auction warehouse of a qualified dealer in tobacco materials, places the tobacco on the floor of such warehouse for resale, and does not remove the tobacco from the warehouse, or (b) buys leaf tobacco from a farmer or grower, places the tobacco on the floor of an auction warehouse of a qualified dealer in tobacco materials for sale, and does not remove the tobacco from the warehouse, or (c) purchases and sells warehouse receipts for tobacco materials

without taking physical possession of the tobacco materials covered thereby, shall, with respect to such operations, be exempt from the provisions of this part.

(72 Stat. 1415; 26 U.S.C. 5702)

16. A new § 280.55 to read as follows is inserted immediately after § 280.54:

§ 280.55 Manufacturer of tobacco products.

A qualified manufacturer of tobacco products, with respect to tobacco materials received by him under his bond as such a manufacturer, shall be exempt from the provisions of this part.

(72 Stat. 1415; 26 U.S.C. 5702)

§ 280.60 [Deletion]

17. Section 280.60 is deleted.

18. Section 280.61 and the heading are amended to read as follows:

§ 280.61 Establishment and places of storage.

An establishment of a dealer in tobacco materials in which he carries on such business may consist of more than one building, or portions of buildings, which need not be contiguous but must be located in the same region. Each establishment shall include one designated building at which all records required by § 280.127 for the establishment shall be maintained. Buildings or portions of buildings, in any location in the United States, in addition to those comprising the establishment, may be used by a dealer in tobacco materials, in connection with the operation of his establishment, as warehouses solely for the storage of tobacco materials, if he maintains at the designated building in that establishment the required records covering the tobacco materials at each such place of storage.

(72 Stat. 1421; 26 U.S.C. 5711)

§§ 280.62, 280.63, and 280.64 [Deletions]

19. Sections 280.62, 280.63, and 280.64 are deleted.

20. Section 280.65 is amended to read as follows:

§ 280.65 Bond.

Every person, before commencing business as a dealer in tobacco materials, shall, with respect to the operations of each establishment, file a bond, Form 2101, in accordance with the applicable provisions of Subpart G of this part, and shall describe therein the buildings and portions of buildings which constitute such establishment by listing each such place by number, street, and city, town, or village, and State, and shall designate the building where the records required by § 280.127 are to be maintained. Places used solely for storage of tobacco materials need not be listed. Where a person desires to engage in business as a dealer in tobacco materials in more than one region, he must file a separate bond in each region describing the establishment in that region. A dealer in tobacco materials may, however, operate more than one establishment in a region, if he files a separate bond for each such establishment. The bond shall be conditioned

upon compliance with the provisions of Chapter 52, I.R.C., and regulations thereunder, including, but not limited to, the timely payment of taxes imposed by such chapter and penalties and interest in connection therewith for which he may become liable to the United States, through the operation of his establishment, as well as all places of storage operated in connection therewith, even though such places of storage are not listed in such bond.

(72 Stat. 1421; 26 U.S.C. 5711)

21. Section 280.66 is amended to read as follows:

§ 280.66 Power of attorney.

If the bond or any other document required under this part is signed by an attorney in fact for an individual, partnership, association, company, or corporation, by one of the partners for a partnership, or by one of the members of an association, power of attorney on Form 1534 shall be furnished to the assistant regional commissioner. If such bond or other document is signed on behalf of a corporation by an officer thereof, it must be supported by duly authenticated extracts of the stockholders' meeting, by-laws, or directors' meeting authorizing such officer to execute such document for the corporation. Form 1534 or support of authority does not have to be filed again with an assistant regional commissioner where such form or support has previously been submitted to that assistant regional commissioner and is still in effect.

§§ 280.67, 280.68, and 280.69 [Deletions]

22. Sections 280.67, 280.68, and 280.69 are deleted.

23. Section 280.70 is added to read as follows:

§ 280.70 Notice of approval of bond.

If the bond required under this part is approved by the assistant regional commissioner, he will assign a number to the establishment of the dealer in tobacco materials for internal revenue purposes. The assistant regional commissioner will immediately notify the dealer, in writing, of the approval of his bond, in order that he may commence operations.

(72 Stat. 1421; 26 U.S.C. 5711)

24. The undesignated centerheads in "Subpart F" which read "Changes in name", "Changes in ownership and control", and "Changes in location", are deleted.

25. Section 280.80 and the heading are amended to read as follows:

§ 280.80 Change in name.

Where there is a change in the individual, trade, or corporate name of a dealer in tobacco materials, the dealer shall, within 30 days of the change, file an extension of coverage of bond, in accordance with the provisions of § 280.105.

(72 Stat. 1421; 26 U.S.C. 5711)

§§ 280.81 and 280.82 [Deletions]

26. Sections 280.81 and 280.82 are deleted.

27. Section 280.83 and the heading are amended to read as follows:

§ 280.83 Change in proprietorship.

Where there is to be any change in proprietorship (including a change in the identity of the members of a partnership or association, but excluding any change in stock ownership in a corporation) of the business of a dealer in tobacco materials, the proposed successor shall, before commencing operations, qualify as a dealer in tobacco materials, in accordance with Subpart E: *Provided*, That qualification as a dealer in tobacco materials will not be required where an administrator, executor, receiver, trustee, assignee, or other fiduciary successor intends to liquidate the business, if he promptly files with the assistant regional commissioner a statement to that effect, and furnishes certified copies, in duplicate, of the order of the court, or other pertinent documents, showing his appointment and qualification as such administrator, executor, receiver, trustee, assignee, or other fiduciary, together with an extension of coverage of the predecessor's bond, executed by the administrator, executor, receiver, trustee, assignee, or other fiduciary, and the surety, in accordance with the provisions of § 280.105.

(72 Stat. 1421; 26 U.S.C. 5711)

§§ 280.84, 280.85, and 280.86 [Deletions]

28. Sections 280.84, 280.85, and 280.86 are deleted.

29. Section 280.87 is amended to read as follows:

§ 280.87 Change in location within same region.

Whenever the establishment of a dealer in tobacco materials is to be changed so as to make inaccurate the description of such establishment as set forth in the bond, such as by addition, discontinuance, or change in location of places comprising the establishment within the same region, or by change in the location where his records are maintained, the dealer shall first file an extension of coverage of his bond, in accordance with provisions of § 280.105, reflecting such change.

(72 Stat. 1421; 26 U.S.C. 5711)

30. Section 280.88 is amended to read as follows:

§ 280.88 Change in location to another region.

Whenever a dealer in tobacco materials contemplates changing the location of his establishment to another region, the dealer shall, before commencing operations at the new location, qualify as such a dealer in the new region, in accordance with the applicable provisions of Subpart E of this part. The dealer shall notify the assistant regional commissioner, of the region from which he is removing, of his qualification in the new region, in order that the assistant regional commissioner may terminate the liability of the surety on the bond of the dealer.

(72 Stat. 1421; 26 U.S.C. 5711)

§ 280.89 [Deletion]

31. Section 280.89 is deleted.

§ 280.100 [Amendment]

32. Section 280.100 is amended by deleting, in the third sentence, the words "Form 356, revised" and inserting, in lieu thereof, the words "Circular No. 570, as revised".

§ 280.106 [Amendment]

33. Section 280.106 is amended by adding a new second sentence to read as follows: "Upon receipt of the duplicate copy of an approved bond or extension of coverage of bond from the assistant regional commissioner, such copy of the bond or extension of coverage of bond shall be retained by the dealer in tobacco materials in the building designated in the bond as the building of his establishment in which the records, required by § 280.127, are maintained and shall be made available for inspection by any internal revenue officer upon his request."

§ 280.107 [Amendment]

34. Section 280.107 is amended by deleting the phrase "date of approval", in the first sentence, and inserting, in lieu thereof, the phrase "effective date".

§ 280.108 [Amendment]

35. Section 280.108 is amended by deleting the phrase "who has accepted such security" in the second sentence of the section.

36. Section 280.120 is amended to read as follows:

§ 280.120 Restrictions on handling, shipment, and delivery of tobacco materials.

A dealer in tobacco materials shall not engage in such business at any place other than the buildings or portions of buildings described in his bond (except for places used solely for the storage of tobacco materials under § 280.61). A dealer in tobacco materials may handle such materials in any manner at any place described in his bond as a part of his establishment, provided that such handling does not result in a tobacco product which is subject to tax under Chapter 52, I.R.C., and the regulations prescribed thereunder. He may ship or deliver tobacco materials only to (a) another qualified dealer in tobacco materials; (b) a qualified manufacturer of tobacco products; (c) a State institution; (d) a foreign country, Puerto Rico, the Virgin Islands, or a possession of the United States; or (e) any person for experimental or display purposes when authorized by the assistant regional commissioner. A dealer in tobacco materials may similarly ship or deliver stems and waste to any person for use by him as fertilizer or insecticide or in the production of fertilizer, insecticide, or nicotine.

(72 Stat. 1418, 1423; 26 U.S.C. 5704, 5731)

37. Section 280.121 is amended to read as follows:

§ 280.121 Tobacco materials released from customs custody.

Tobacco materials imported into the United States from a foreign country, or

brought in from Puerto Rico, the Virgin Islands, or a possession of the United States, may be released from customs custody, without payment of tax, under the bond of a dealer in tobacco materials, for delivery to such dealer. Before such tobacco materials are released to him, the dealer shall prepare and furnish to the collector of customs having custody of the tobacco materials, a notice of release of tobacco materials, Form 2146. Upon release of the tobacco materials, the collector of customs shall complete the form as to date of release, signature, and title, and shall return one copy to the dealer, retain one copy for his records, and transmit one copy to the assistant regional commissioner shown thereon. The copy returned to the dealer shall be retained by him for two years after the close of the year of such release, and shall be made available for inspection by any internal revenue officer upon his request.

(72 Stat. 1418; 26 U.S.C. 5704)

§ 280.125 [Amendment]

38. Section 280.125 is amended by deleting the article "a" from the second sentence of paragraph (b) and inserting in lieu thereof the words "an internal".

39. Section 280.127 is amended to read as follows:

§ 280.127 Records.

Every dealer in tobacco materials shall maintain at the building designated in his bond complete and adequate records, in respect to the establishment covered by the bond and all places of storage used in connection therewith, of all tobacco materials received (except with respect to samples as provided by § 280.124), shipped, delivered, lost, and destroyed. The records shall show (a) with respect to tobacco materials received, the date, kind, quantity, and the name and address of each person from whom received, (b) with respect to materials shipped or delivered, the date, kind, quantity, and the name and address of each person to whom shipped or delivered, and (c) with respect to materials lost or destroyed, the date, kind, and quantity, as well as pertinent details as to such loss or destruction: *Provided*, That the records of tobacco materials received and disposed of at places of storage shall also show the location of the place of storage. No particular form of records is prescribed, but the information required shall be readily ascertainable from the records. Such records, to include purchase and sales invoices, shall be retained for two years following the close of the year covered in such records, and shall be made available for inspection by any internal revenue officer upon his request.

(72 Stat. 1423; 26 U.S.C. 5741)

§ 280.128 [Amendment]

40. Section 280.128 is amended by inserting the word "internal" before the expression "revenue officer".

41. Section 280.129 is amended to read as follows:

§ 280.129 Inventory.

A dealer in tobacco materials shall make, upon demand of any internal revenue officer, a true and accurate inventory of the quantity and kind of all such materials held at each location by the dealer.

(72 Stat. 1423; 26 U.S.C. 5732)

42. Section 280.130 is amended to read as follows:

§ 280.130 Liability of dealer in tobacco materials.

Tobacco materials shipped or delivered in violation of the provisions of § 280.120 shall be subject to tax as manufactured tobacco and the dealer in tobacco materials shipping or delivering such materials shall be subject as a manufacturer of tobacco to the provisions of Chapter 52, I.R.C., and to Part 275 of this subchapter.

(72 Stat. 1423; 26 U.S.C. 5731)

43. Section 280.131 is amended to read as follows:

§ 280.131 Assessment of tax.

The tax determined to be due under § 280.130 on tobacco materials shipped or delivered by a dealer in tobacco materials in violation of the provisions of this part shall be assessed, subject to the limitations prescribed in section 6501, I.R.C., against such dealer. The tax so assessed shall be in addition to the penalties imposed by law for failure to pay such tax when required. Except in cases where delay may jeopardize collection of the tax, or where the amount is nominal or the result of an evident mathematical error, no such assessment shall be made until and after notice has been afforded such dealer to show cause against assessment. The dealer will be allowed 45 days from the date of such notice to show cause, in writing, against such assessment.

(72 Stat. 1417; 26 U.S.C. 5703)

§ 280.132 [Amendment]

44. Section 280.132 is amended by deleting, in the first sentence, the words "in duplicate,".

§ 280.133 [Deletion]

45. Section 280.133 is deleted.

46. The title of Subpart I is amended by deleting the words "Suspension and".

47. Section 280.140 is amended to read as follows:

§ 280.140 Discontinuance of operations.

Every dealer in tobacco materials who desires to discontinue operations and close out his establishment shall dispose of all tobacco materials on hand, in accordance with this part, and shall notify the assistant regional commissioner of such discontinuance, in order that the assistant regional commissioner may terminate the liability of the surety on the bond of the dealer.

(72 Stat. 1421; 26 U.S.C. 5711)

§ 280.141 [Deletion]

48. Section 280.141 is deleted.

49. The statutory provisions cited to text in parentheses in the following sections are amended to read as follows:

Section 280.44. (72 Stat. 1425, 1426; 26 U.S.C. 5761, 5762, 5763)

Sections 280.50 and 280.51. (72 Stat. 1415; 26 U.S.C. 5702)

Section 280.100. (72 Stat. 1421, 61 Stat. 648; 26 U.S.C. 5711, 6 U.S.C. 6)

Section 280.101. (72 Stat. 1421, 61 Stat. 650; 26 U.S.C. 5711, 6 U.S.C. 15)

Sections 280.102, 280.103, 280.104, 280.105, 280.106, and 280.107. (72 Stat. 1421; 26 U.S.C. 5711)

Section 280.108. (72 Stat. 1421, 61 Stat. 650; 26 U.S.C. 5711, 6 U.S.C. 15)

Section 280.123. (72 Stat. 1418; 26 U.S.C. 5704)

Sections 280.124, 280.125, and 280.126. (72 Stat. 1423; 26 U.S.C. 5741)

Section 280.128. (72 Stat. 1423; 26 U.S.C. 5732)

[F.R. Doc. 60-2651; Filed, Mar. 23, 1960; 8:51 a.m.]

Title 32—NATIONAL DEFENSE**Chapter VI—Department of the Navy****SUBCHAPTER G—MISCELLANEOUS RULES****PART 765—RULES APPLICABLE TO THE PUBLIC****Miscellaneous Amendments**

Scope and purpose. Sections 765.17 through 765.19 are amended to bring citations and references, designation of officials and regulatory details into accord with current regulations of the Department of the Navy.

1. Section 765.17(b) (3) (iv)–(v) is revised to read as follows:

(iv) Personnel may not be inconvenienced and may not have training or normal duties interrupted.

(v) No financial compensation is authorized.

(vi) Names and pictures of naval personnel shall not be used for advertising purposes without first obtaining the permission of the personnel in question and without submission of the advertisement, in completed form, to the Office of Information, Navy Department, Washington 25, D.C., or district, fleet or force commanders for review and clearance prior to publication.

2. Section 765.17(e) is revised to read as follows:

(e) When there is doubt as to the propriety of the copy of photographs, reference should be made to the Office of Information, Navy Department, Washington 25, D.C.

3. Section 765.18(a) (1) is revised to read as follows:

(1) In conformity with the provisions of Article 0735, United States Navy Regulations, 1948, detailed instructions have been issued governing photography within naval jurisdiction in order to permit prompt release and publication of photographs and motion pictures portraying unclassified Navy matter beneficial alike to the public and to the Navy.

(i) The making, for other than official use, of photographs, photographic plates or films, or motion picture films, of naval vessels or aircraft or parts thereof; of naval stations, or of any establish-

ments under the jurisdiction of the Department of the Navy, or of any device belonging to the Naval Establishment or intended for the use thereof, shall be governed by such detailed instructions as are or may be issued by authority of the Secretary of the Navy.

(ii) No person, not in the naval service, shall be allowed to take on board any naval vessel or aircraft, or into any naval station or any establishment under the jurisdiction of the Department of the Navy, any photographic apparatus, without displaying written permission from proper authority.

(iii) All unofficial photographs taken on board any naval vessel or aircraft or in any naval station or establishment under the jurisdiction of the Department of the Navy shall be submitted for censorship (review) to the commanding officer, or to a responsible officer designated by him or by higher authority, and if condemned shall, together with the films from which printed, be destroyed or otherwise disposed of in accordance with current instructions.

4. Section 765.18(a) (2) (iv) is revised to read as follows:

(iv) Photographs may be released by the officer in command at the place where the object is photographed except as restricted by paragraph (g) (2) of this section. Cases of doubt should be referred to the Secretary of the Navy (Chief of Information).

5. Section 765.18(b) (1) is revised to read as follows:

(1) *Designation of responsible officer.* Subject to these instructions and orders from higher naval authority, commanding officers of naval vessels, naval inspectors, commanders of naval shipyards, and commanding officers of other shore stations shall have full cognizance of and responsibility for the making of photographs within their naval jurisdiction whether by naval personnel or by other persons.

6. Section 765.18(b) (4) is revised to read as follows:

(4) *Source of information on classified subjects.* The general policy with respect to official information which requires protection in the interests of national defense is contained in United States Navy Regulations, Articles 0735, 0768, 1252 and 1501-1510, in accordance with Executive Order 10501 (3 CFR, 1949-1953 Comp., p. 979), as amended. More detailed instructions as to the current policy with respect to publicity regarding naval vessels or aircraft, naval weapons or other parts of the Naval Establishment are issued from time to time by the Secretary of the Navy or under his authority in manual or directive form. Further detailed instructions regarding specific material are issued from time to time by the chiefs of the bureaus having cognizance thereof.

7. Section 765.18(b) (5) is revised to read as follows:

(5) *Reference to Navy Department in cases of doubt.* Where there is doubt as to the advisability of making or releasing any photograph for publication, refer-

ence, with recommendation, will be made to the Secretary of the Navy (Chief of Information). When an official Navy still photograph is referred to the Navy Department for review, the original negative and two prints will be forwarded to the Chief of Information. All copies of negatives and photographs of combat action against the enemy which show loss of or damage to U.S. combatant ships, or fleet operations knowledge of which must be kept in the limited distribution category, should be forwarded to the Chief of Information or to district, fleet or force public information officers, who will take appropriate action as to further disposition. All still negatives and prints made by commercial photographers shall remain under naval jurisdiction until such negatives have been released. In the case of commercial photographers one additional print should be forwarded to the Secretary of the Navy (Chief of Information) for the Department files.

8. Section 765.18(b)(6)(ii) is revised to read as follows:

(ii) When an "official Navy photograph," except of pictures of personnel is issued to any person or activity outside naval jurisdiction, it shall bear the following statement written or stamped on the back:

Please Watch Your Credit

No objection to reproducing or publishing this photograph provided this credit line is used:

Official U.S. Navy Photograph

This photograph may be used for commercial advertising if, before publication, accompanying copy and layout are submitted to and approved by the

Chief of Information
Navy Department
Washington 25, D.C.

9. Section 765.18(b)(8) is revised to read as follows:

(8) *Disposal of old photograph files.* Photographs and photographic files in photographic laboratories of naval activities shall be disposed of in accordance with provisions of the Manual of Naval Photography (OPNAV Instruction 3150.6A or subsequent revisions thereof) or as prescribed by competent authority.

10. Section 765.18(c)(2) is revised to read as follows:

(2) *Privately owned cameras.* (i) Naval personnel shall be allowed to bring cameras on board ships and aircraft or into shore installations only as authorized by commanding officers and subject to such restrictions for the protection of classified information as they may impose. While on board cameras will be in custody of the commanding officer. Under no circumstances will they be used aboard ship without official permission and competent supervision. (See paragraph (b)(7)(ii) of this section.) Use of or the possession of privately owned cameras at shore stations shall be in accordance with such local regulations as may be prescribed.

(ii) When naval personnel are authorized to take photographs with personal cameras within the jurisdiction of naval

commands, commanding officers shall insure that such photographs do not reveal classified matter. All unofficial photographs, still or motion picture, taken by naval personnel within naval jurisdiction with their own equipment shall be subject to review. If, in judgment of the reviewing authority, such photos are of public interest, prints or copies shall be released as "Official Navy Photos" without recompense to the photographer. However, the unclassified portions of the original film (negative) will be returned to the owner after processing and distribution have been accomplished.

11. Section 765.18(d)(2)(i) is redesignated as § 765.18(d)(2) and § 765.18(d)(2)(ii) is deleted.

12. Section 765.18(d)(6) is revised to read as follows:

(6) *Liability of civilian photographer under Espionage Act.* Civilian photographers shall be informed that the retention of negatives or prints or the publishing of photographs in violation of their agreements or failure to deliver negatives or prints to proper naval authority upon demand may render them liable to prosecution under the Espionage Act (cf. 18 U.S.C. 791-799).

13. Section 765.18(e)(1) is revised to read as follows:

(e) *Motion pictures, commercial—(1) Authorization for naval cooperation.* The Secretary of the Navy (Chief of Information) may authorize naval cooperation with commercial motion-picture producers in recognition of the value to both the public at large and the naval service in the production of accurate portrayals of naval life. The cooperation between the motion-picture producers and the Navy will involve, on the part of the motion-picture producer, agreement in writing to adhere to the restrictions and requirements imposed by this section and, on the part of the Navy, assistance to the motion-picture producers in the technical supervision of the taking of the picture to prevent the inclusion of matter not desired to be made public. The procedure for censorship of these pictures depends upon whether they are feature motion pictures, news reels, or other films.

14. Section 765.18(e)(2), introductory paragraph through subdivision (iii), is revised to read as follows:

(2) *Feature motion pictures.* A feature motion picture for the purpose of this section is interpreted to be any motion picture running more than twenty minutes in projection time.

(i) The Secretary of the Navy requires that the scenarios of feature motion pictures involving any naval cooperation be reviewed by the Chief of Information prior to production.

(ii) The naval authority designated to cooperate with the producing company will provide, in the interest of security, for naval supervision of all footage taken within naval jurisdiction and where practicable, for prompt local provisional review of such footage as may be considered questionable for release by the supervisor. The local provisional review is for the purpose of promptly

bringing to the attention of both the producing company and the Navy Department film which is questionable and is not for the purpose of censoring script or dialogue. One print of all the questioned footage for the given production will be forwarded as confidential (classified) matter by the naval authority concerned to the Secretary of the Navy (Chief of Information). The producing company will be informed when the questioned film is forwarded.

(iii) All feature motion pictures produced with naval cooperation will be submitted by the producing company to the Secretary of the Navy (Chief of Information) for review and clearance by that office in the Navy Department, Washington, D.C., prior to release.

15. Section 765.18(e)(3) is revised to read as follows:

(3) *Newsreels.* Newsreel motion picture footage shall be interpreted as any footage of twenty minutes or less of projection time.

(i) Producers of newsreels shall be accorded naval cooperation when practicable. Commanding officers may permit accredited newsreel cameramen to photograph unclassified subjects on a naval ship or station, provided the private movie company concerned agrees that a fine grain master positive (or lavender) of the footage shot will be made available to the Navy without cost on request of the Chief of Information. The Navy may use this footage in motion pictures limited to non-theatrical, non-profit, educational showings.

(ii) Should the newsreel cameraman request permission to photograph a subject of doubtful classification, such photography may be permitted, provided the private motion picture company concerned agrees that the negative remain in naval custody until its classification is determined, at which time it may be released if it is of an unclassified nature. The company shall further agree that if the negative, or portion of it, is determined to be classified, the Navy may retain the classified portions. In cases of newsreel photography of subjects of doubtful classification, the commanding officer concerned shall require the responsible cameraman to deliver the exposed and unprocessed negative to him immediately after exposure, and shall forward it to the Naval Photographic Center by most expeditious means, notifying the Chief of Information, who is responsible for clearance and release to the owner of all footage determined to be unclassified.

16. Section 765.18(e)(5)-(7) is revised to read as follows:

(5) *Training films.* All companies producing motion pictures or film strips for the Navy Department for primary use in connection with training shall deliver the original negative to the Bureau of Naval Weapons for such noncommercial use as the Navy Department may require. In the case of classified material all negatives, prints, or lavenders will be delivered to the Bureau of Naval Weapons in accordance with the provisions of subparagraph (7) of this paragraph. A

duplicate negative of unclassified material may be retained by the producing company for reproduction purposes for non-theatrical use, except that previously released film available in library material will ordinarily have no restrictions placed upon it for theatrical use. Release of material not previously reviewed will be subject to the approval of the Secretary of the Navy (Chief of Information).

(6) *Other films (except technical films).* Documentaries, short subjects, and all other short films (except technical films), produced wholly or in part with naval cooperation, shall be submitted for review to the Secretary of the Navy (Chief of Information). If possible, advance scripts or outlines should be submitted prior to start of production. The Navy Department reserves the right to acquire prints in accordance with subparagraph (2) (iv) of this paragraph, or a lavender print of all footage made with naval cooperation.

(7) *Reviewed material.* When the Secretary of the Navy (Chief of Information) reviews and condemns any footage, the producing company will promptly submit all prints, lavenders and negatives of that footage to the reviewing authority, together with a signed statement that all prints, lavenders, or negatives of any nature made from the disapproved footage have been surrendered to naval authority.

17. Section 765.18(f) (1) is revised to read as follows:

(1) *Technical photographs required by contract.* Photographs (still and motion pictures) and sketches or drawings required by Navy contracts in connection with the manufacture or construction of articles or structures for the Navy will be handled as part of the contract and under the same restrictions as apply to drawings and other matter under the contract or under special classification. None of the above may be published, distributed, displayed or released to the contractor's files without approval by the Secretary of the Navy (Chief of Information).

18. Section 765.18(g) (1) is revised to read as follows:

(1) *Standards of review.* The review of photographs requires the use of sound judgment on the part of the responsible officers in order to permit the prompt release and publication of such photographs and motion pictures as will be beneficial alike to the public and to the Navy, while at the same time protecting subjects which are of a classified nature. It must be kept in mind that to publish a list of the specific items which are considered most confidential would be the first step leading to compromise. As a consequence it is necessary to designate classified items in fairly broad categories and administer the security thereof in accordance with a uniform policy. Photographs listed in subparagraph (2) of this paragraph will not be released except by the Secretary of the Navy (Chief of Information).

19. Section 765.18(h) (1) is revised to read as follows:

(1) Official Navy photographs without regard to release status, except those made purely for local interest, will be forwarded to the Naval Photographic Center, Naval Air Station, Anacostia, Washington, D.C.

20. Section 765.18(i) (1) (i) is revised to read as follows:

(i) In all photography that concerns the internal affairs of the Marine Corps (except aeronautics), the Commandant, U.S. Marine Corps (Director of Information) is delegated cognizance equivalent to that of the Secretary of the Navy (Chief of Information). Similarly, in applicable cases, the term "Navy" or "Navy Department" shall be construed as "Marine Corps" or "Headquarters, U.S. Marine Corps."

21. Section 765.19(a)-(c) is revised to read as follows:

(a) An act of Congress approved June 25, 1942 (56 Stat. 390), as amended (50 U.S.C., App. 781-785), reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any navy yard, naval station, or of any military post, fort, camp, station, arsenal, airfield, or other military or naval reservation or place used for national-defense purposes by the Departments of the Army or the Navy, or of any vessel, aircraft, installation, equipment, or other property whatsoever, located within any such post, fort, camp, arsenal, airfield, yard, station, reservation or place or in the waters adjacent thereto, or in any defensive sea area established in accordance with law; or whoever, except in performance of duty or employment in connection with the national defense, shall knowingly and willfully make any sketch, photograph, photographic negative, blueprint, plan, map, model, copy, or other representation of any vessel, aircraft, installation, equipment, or other property relating to the national defense being manufactured or under construction or repair for or awaiting delivery to the Departments of the Army or the Navy or the government of any country whose defense the President deems vital to the defense of the United States under any contract or agreement with the United States or such country or otherwise on behalf of the United States or such country, located at the factory, plant, yard, storehouse, or other place of business of any contractor, subcontractor, or other person, or in the waters adjacent to any such place, shall be punished as provided herein.

SEC. 2. Notwithstanding the provisions of section 1, the Secretary of the Army or the Secretary of the Navy is authorized, under such regulations as he may prescribe, to permit photographs, sketches, or other representations to be made when, in his opinion, the interests of national defense will not be adversely affected thereby.

SEC. 3. Any person found guilty of a violation of this Act shall, upon conviction, be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or by both such fine and imprisonment.

SEC. 4. The provisions of this Act shall apply in all places within the territory or jurisdiction of the United States.

SEC. 5. This Act shall be effective only until six months after the termination of the national emergency proclaimed by the President on December 16, 1950 (Proc. 2914, 3 CFR, 1950 Supp., p. 71) [3 CFR, 1949-1953 Comp., p. 99].

(b) In accordance with the authority contained in section 2 of the above quoted act, the Secretary of War [Secretary of the Army] and the Secretary of the Navy have prescribed certain regulations for the administration of the said act. Such regulations which have been prescribed, are in full force and effect in pursuance of the said act, and appear hereafter as follows:

Sketches, photographs, photographic negatives, blueprints, plans, maps, models, copies or other representations, may be made of any area, place, property, or thing, described in the Act of Congress approved June 25, 1942 (56 Stat. 390), only upon the expressed permission of the Secretary, or his authorized representative, having jurisdiction of the subject matter. Such permission will be granted only if the interests of national defense will not be adversely affected thereby.

The authorized representatives who may grant the necessary permission are:

DEPARTMENT OF THE ARMY

Any commanding general of a defense command, theater of operations, department or army area, Chief of Public Information Division, Special Staff, U.S. Army or any Commander of a post, camp or station.

DEPARTMENT OF THE NAVY

Fleet commanders or commanders of any major subdivision thereof, commanders of sea frontiers, district commandants, the Director of the Office of Public Relations [Chief of Information], commanding officers of ships, aircraft squadrons, or stations, or an officer of the United States Marine Corps having a command equivalent to any of the foregoing.

(c) The naval representatives designated in the regulations set forth in paragraph (b) of this section shall, in the administration of the functions therein imposed, at all times be guided by the provisions of the Department of the Navy Security Manual for Classified Information (OPNAV Instruction 5510.1B). (See § 765.18.)

22. Section 765.19(e) is revised to read as follows:

(e) The attention of personnel is directed to the broad scope of this law which, literally, prohibits the taking of any photograph of naval subjects without authority. It is, therefore, expected that citizens, innocent of wrongful intent, will transgress the law's comprehensive provisions. Personnel are therefore obliged to exercise tact, discretion, and sound judgment in their administration of the law as it affects the Naval Establishment.

(Secs. 5031, 6011, 70A Stat. 278, 375, as amended; 10 U.S.C. 5031, 6011)

By direction of the Secretary of the Navy.

[SEAL] CHESTER WARD,
Rear Admiral, U.S. Navy, Judge
Advocate General of the Navy.

MARCH 19, 1960.

[F.R. Doc. 60-2652; Filed, Mar. 23, 1960;
8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR (1954) Part 186]

GAUGING MANUAL

Notice of Proposed Rule Making

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing in duplicate, to the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington 25, D.C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Director within the 30-day period. In such a case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] DANA LATHAM,
Commissioner of Internal Revenue.

In order to implement certain provisions of the Internal Revenue Code of 1954, as amended by Public Law 85-859, as they relate to the gauging of distilled spirits (including alcohol); to clarify and prescribe the methods or techniques of gauging; and to make editorial and corrective changes, 26 CFR Part 186 is amended as follows:

Sec.	Subpart A—Scope of Regulations
186.1	Gauging of distilled spirits.
	Subpart B—Definitions
186.11	Meaning of terms.
	Subpart C—Gauging Instruments
186.21	General requirements.
186.22	Hydrometers and thermometers.
186.23	Use of precision hydrometers and thermometers.
186.24	Use of U.S. standard hydrometers and thermometers.
186.25	Gauging instruments of unusual or costly design.
	Subpart D—Gauging Procedures
186.31	Determination of proof.
186.32	Determination of proof obscuration.

DETERMINATION OF QUANTITY	
Sec.	
186.36	General requirements.
DETERMINATION OF QUANTITY BY WEIGHT	
186.41	Bulk spirits.
186.42	Denatured spirits.
186.43	Packaged spirits.
186.44	Entry or filling gauge for packages.
186.45	Withdrawal gauge for packages.

DETERMINATION OF QUANTITY BY VOLUME	
Sec.	
186.51	Procedure for measurement.

Subpart E—Prescribed Tables

186.61	Table 1, showing the true percents of proof spirit for any indication of the hydrometer at temperatures between zero and 100 degrees Fahrenheit.
186.62	Table 2, showing wine gallons and proof gallons by weight.
186.63	Table 3, for determining the number of proof gallons from the weight and proof of spirituous liquor.
186.64	Table 4, showing the fractional part of a gallon per pound at each percent and each tenth percent of proof of spirituous liquor.
186.65	Table 5, showing the weight per wine gallon (at 60 degrees Fahrenheit) and proof gallon at each percent of proof of spirituous liquor.
186.66	Table 6, showing respective volumes of alcohol and water and the specific gravity in both air and vacuum of spirituous liquor.
186.67	Table 7, for correction of volume of spirituous liquors to 60 degrees Fahrenheit.

Subpart A—Scope of Regulations

§ 186.1 Gauging of distilled spirits.

This part, the "Gauging Manual", relates to the gauging of distilled spirits. By "gauging" is meant the determination of the proof and the quantity of distilled spirits. Tables 1-7, together with their instructions, are provided as a part hereof and should be used, wherever applicable, in making the necessary computations from gauge data. Table 1 provides a method for correcting hydrometer indications at temperatures between 0 and 100 degrees Fahrenheit to true proof. If distilled spirits contain dissolved solids, temperature-correction of the hydrometer reading by the use of this table would result in apparent proof rather than true proof. Tables 2 and 3 show the gallonage of spirituous liquor according to weight and proof, Table 4 shows the gallons per pound at each one-tenth proof from 1 to 200 proof, Table 5 shows the weight per wine gallon and proof gallon at each proof, Table 6 shows the volumes of alcohol and water, and the specific gravity (air and vacuum) of spirituous liquor at each proof, and Table 7 provides a means of ascertaining the volume (at 60 degrees Fahrenheit) of spirits at various temperatures ranging from 18 degrees through 100 degrees Fahrenheit. The procedures prescribed in, or authorized under the provisions

of, this part shall, except as may be otherwise authorized in this chapter, be followed in making any determination of quantity or proof of distilled spirits required by or under the authority of regulations in this chapter.

(72 Stat. 1358; 26 U.S.C. 5204)

Subpart B—Definitions

§ 186.11 Meaning of terms.

When used in this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meanings ascribed in this section. Words in the plural form shall include the singular, and vice versa, and words importing the masculine gender shall include the feminine. The terms "includes" and "including" do not exclude things not enumerated which are in the same general class.

Assistant regional commissioner. An assistant regional commissioner (alcohol and tobacco tax) who is responsible to, and functions under the direction and supervision of, a regional commissioner.

Bulk conveyance. Any tank car, tank truck, tank ship, tank barge, or other similar container approved by the Director, authorized for the conveyance of spirits (including denatured spirits) in bulk.

CFR. The Code of Federal Regulations.

Container. Any receptacle, vessel, or form of package, bottle, tank, or pipeline used, or capable of use, for holding, storing, transferring or conveying distilled spirits.

Denatured spirits or denatured alcohol. Spirits to which denaturants have been added pursuant to formulas prescribed in Part 212 of this chapter.

Director. The Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Washington, D.C.

Gallon or wine gallon. The liquid measure equivalent to the volume of 231 cubic inches.

I.R.C. The Internal Revenue Code of 1954, as amended.

Internal revenue officer. An officer or employee of the Internal Revenue Service duly authorized to perform any function relating to the administration or enforcement of this chapter.

Package. Any cask, barrel, drum, or similar container approved under the provisions of this chapter.

Proof. The ethyl alcohol content of a liquid at 60 degrees Fahrenheit, stated as twice the percent of ethyl alcohol by volume.

Proof gallon. A United States gallon of proof spirits, or the alcoholic equivalent thereof.

Proof spirits. That liquid which contains one-half its volume of ethyl alcohol of a specific gravity of seven thousand nine hundred and thirty-nine ten-

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thousandths (0.7939) in vacuum at 60 degrees Fahrenheit referred to water at 60 degrees Fahrenheit as unity.

Regional commissioner. A regional commissioner of internal revenue.

Spirits, spirituous liquor, or distilled spirits. That substance known as ethyl alcohol, ethanol, or spirits of wine, including all dilutions and mixtures thereof, from whatever source or by whatever process produced, and shall include whisky, brandy, rum, gin, and vodka, but not denatured spirits unless specifically stated.

Tax gallon. The unit of measure of spirits for the imposition of tax under section 5001, I.R.C. When spirits are 100 degrees of proof or more, the tax is determined on a proof gallon basis. When spirits are less than 100 degrees of proof, the tax is determined on a wine gallon basis.

This chapter. Chapter I, Title 26, CFR.

U.S.C. The United States Code.

(72 Stat. 1315; 26 U.S.C. 5002)

Subpart C—Gauging Instruments

§ 186.21 General requirements.

Internal revenue officers shall use only hydrometers and thermometers furnished by the Government: *Provided*, That the Director may authorize internal revenue officers to use, as prescribed in § 186.25, approved gauging instruments of unusual or costly design furnished by the proprietor. From time to time internal revenue officers shall verify the accuracy of hydrometers and thermometers used by proprietors. The proof of distilled spirits and rectified products shall be determined by the use of gauging instruments as prescribed in this part.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.22 Hydrometers and thermometers.

The hydrometers furnished to internal revenue officers are graduated to read the proof of aqueous alcoholic solutions at 60 degrees Fahrenheit; thus, they read, 0 for water, 100 for proof spirits, and 200 for absolute alcohol. Because of temperature-density relationships and the selection of 60 degrees Fahrenheit for reporting proof, the hydrometer readings will be less than the true percent of proof at temperatures below 60 degrees Fahrenheit and greater than the true percent of proof at temperatures above 60 degrees Fahrenheit. Hence, corrections are necessary for hydrometer readings at temperatures other than 60 degrees Fahrenheit. Precision hydrometers shall be used for gauging large quantities of spirits, such as bulk gauging for tax payment. Hydrometers and thermometers shall be used and the true percent of proof shall be determined in accordance with § 186.31. Hydrometers are designated by letter according to range of proof and are provided in ranges and subdivisions of stems as follows:

U.S. Standard:	Range	Sub-division
A-----	0 to 100	1.0°
B-----	80 to 120	0.5°
C-----	100 to 140	0.5°
D-----	130 to 170	0.5°
E-----	160 to 206	0.5°

Precision:	Range	Sub-division
F-----	0 to 20	0.2°
G-----	20 to 40	0.2°
H-----	40 to 60	0.2°
I-----	60 to 80	0.2°
K-----	75 to 95	0.2°
L-----	90 to 110	0.2°
M-----	105 to 125	0.2°
N-----	125 to 145	0.2°
P-----	145 to 165	0.2°
Q-----	165 to 185	0.2°
R-----	185 to 206	0.2°

Thermometers are designated by type according to range of degrees Fahrenheit and are provided in ranges and subdivisions of degrees as follows:

Type	Range	Sub-division
Copper cup-----	0° to 100°	1°
Penicil type-----	10° to 100°	1°
V-back-----	10° to 100°	1°
Glass shell (earlier model)-----	40° to 100°	1/2°
Glass shell (later model)-----	40° to 100°	1/4°

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.23 Use of precision hydrometers and thermometers.

Care should be exercised to obtain accurate hydrometer and thermometer readings. In order to accomplish this result, the following precautions should be observed. Bulk spirits should be thoroughly agitated so that the test sample will be representative of the entire quantity. The hydrometer should be kept clean and free of any oily substance. Immediately before readings are taken, the glass cylinder containing the thermometer should be rinsed several times with the spirits which are to be gauged so as to bring both the cylinder and the thermometer to the temperature of the spirits (if time permits, it is desirable to bring both the spirits and the instruments to room temperature). If the outer surface of the cylinder becomes wet, it should be wiped dry to avoid the cooling affect of rapid evaporation. During the readings the cylinder should be protected from drafts or other conditions which might effect its temperature or that of the spirits which it contains. The hands should not be placed on the cylinder in such a manner as to warm the liquid contained therein. The hydrometer should be inserted in the liquid and the hydrometer bulb raised and lowered from top to bottom 5 or 6 times to obtain an even temperature distribution over its surface, and, while the hydrometer bulb remains in the liquid, the stem should be dried and the hydrometer allowed to come to rest without wetting more than a few tenths degrees of the exposed stem. Special care should be taken to ascertain the exact point at which the level of the surface of the liquid intersects the scale of proof in the stem of the hydrometer. The hydrometer and thermometer should be immediately read, as nearly simultaneously as possible. In reading the hydrometer, a sighting should be made slightly below the plane of the surface of the liquid and the line of

sight should then be raised slowly, being kept perpendicular to the hydrometer stem, until the appearance of the surface changes from an ellipse to a straight line. The point where this line intersects the hydrometer scale is the correct reading of the hydrometer. When the correct readings of the hydrometer and the thermometer have been determined, the true percent of proof shall be ascertained from table 1. Another sample of the spirits should then be taken and be tested in the same manner so as to verify the proof originally ascertained. Hydrometer readings should be made to the nearest 0.05 degree and thermometer readings should be made to the nearest 0.1 degree, and instrument correction factors, if any, should be applied. It is necessary to interpolate in table 1 for fractional hydrometer and thermometer readings.

Example. A hydrometer reads 192.85° at 72.10° F. The correction factors for the hydrometer and the thermometer, respectively are minus 0.03° and plus 0.05°. The corrected reading, then, is 192.82° at 72.15° F.

From table 1:

193.0° at 72.0° F.=190.2°

192.0° at 72.0° F.=189.1°

Difference= 1.1°

192.0° at 72.0° F.=189.1°

192.0° at 73.0° F.=188.9°

Difference= 0.2°

The hydrometer difference (1.1°) multiplied by the fractional degree of the hydrometer reading (0.82°)=0.902.

The temperature difference (0.2°) multiplied by the fractional degree of the temperature reading (0.15°)=0.03°.

Proof at 60° F.=189.1+0.902-0.03=189.972°=190.0°.

As shown, the final proof should be rounded to the nearest tenth of a degree of proof.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.24 Use of U.S. standard hydrometers and thermometers.

In general, the care prescribed for reading precision instruments should also be used for gauging in which U.S. standard hydrometers (A to E) and thermometers graduated in full degrees are employed. However, when using such instruments, they are read to the nearest half degree, and the true proof determined from table 1 (interpolating as prescribed in § 186.23) is rounded to the nearest whole degree. In rounding the true proof to the nearest whole degree, if the decimal is less than five, it will be dropped; if it is five or over, a unit will be added.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.25 Gauging instruments of unusual or costly design.

The Director may authorize the use of instruments of unusual or costly design (in lieu of those specified in this part) for making official gauges, if such instruments permit the internal revenue officer to more efficiently and accurately determine the proof and the quantity of distilled spirits, and the proprietor desires

to furnish such instruments at his expense. Such instruments shall be placed in the custody of the internal revenue officer. A proprietor who proposes to use instruments of unusual or costly design shall submit a written application (in triplicate) to the assistant regional commissioner, describing the instruments and their advantages. The assistant regional commissioner shall make appropriate inquiries as to such instruments and whether approval thereof will hinder the effective administration of this chapter or result in jeopardy to the revenue. On completion of the inquiry, the assistant regional commissioner will forward two copies of the application to the Director, Alcohol and Tobacco Tax Division, together with a report of his findings and his recommendations. Where the instruments cannot be adequately described in the application, drawings or photographs should also be submitted.

(72 Stat. 1358; 26 U.S.C. 5204)

Subpart D—Gauging Procedures

§ 186.31 Determination of proof.

The proof of spirits in bond shall be determined by the use of a hydrometer and a thermometer in accordance with the provisions of §§ 186.23 and 186.24. The proof of tax-determined spirits which have not been rectified (or which have been rectified without the addition of materials containing solids) shall also be determined by the use of a hydrometer and thermometer, except that the proof of imported spirits to be bottled without rectification, after withdrawal from customs bond on tax determination, shall be determined on the same basis as was used for customs purposes. The proof of spirits to which materials containing solids have been added in a process of rectification, but which contain not more than 600 milligrams of solids per 100 milliliters, may be determined (a) by the direct use of a hydrometer and a thermometer, or (b) by the use of a hydrometer and a thermometer after the spirits have been distilled in a small laboratory still and restored to the original volume and temperature by the addition of pure water to the distillate, or (c) by a recognized laboratory method which is equal or superior in accuracy to the distillation method: *Provided*, That where the proof of such spirits is determined by the use of a hydrometer and a thermometer, the proof so determined may be corrected by adding thereto the obscuration determined as prescribed in § 186.32. The proof of spirits containing solids in excess of 600 milligrams per 100 milliliters, and of cordials, liqueurs, and other rectified products containing such excess of solids, shall be determined by the distillation or laboratory method prescribed respectively in paragraphs (b) and (c) of this section. The Director may also authorize, as prescribed in § 186.25, the use of instruments of unusual or costly design for making gauges, if such instruments more efficiently and accurately

determine the proof and quantity of the spirits.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.32 Determination of proof obscuration.

Solids or other substances in solution in beverage spirits have an effect on the specific gravity of the spirits and, depending on the density or specific gravity of the substances, obscure the true proof of the liquid. Experience has shown that 0.1 gram (100 milligrams) of solids per 100 milliliters will obscure the true proof by 0.4 of 1 degree of proof. The amount of solids in the spirits may be determined by evaporating the water and alcohol from a carefully measured 25 milliliter sample of the spirits and then weighing the residue precisely. The number of grams of solids thus determined, multiplied by 4, will give the amount of solids in 100 milliliters of the spirits, and that figure, multiplied by 4, will give the obscuration. For example, if a blended whisky contains 0.25 gram of solids per 100 milliliters, the obscuration is 4 times 0.25, which is one degree of proof. This value, added to the temperature corrected hydrometer reading, will give the true proof.

(72 Stat. 1358; 26 U.S.C. 5204)

DETERMINATION OF QUANTITY

§ 186.36 General requirements.

The quantity of distilled spirits shall be determined by weight, or, whenever permitted by this chapter, by volume, that is, by direct volumetric measurement, or, when approved by the Director, by meter or other device or by a statistical control method. The quantity of denatured distilled spirits may be determined either by weight or by volume.

(72 Stat. 1357, 1358; 26 U.S.C. 5202, 5204)

DETERMINATION OF QUANTITY BY WEIGHT

§ 186.41 Bulk spirits.

When spirits (including denatured spirits) are to be gauged by weight in bulk quantities, the weight shall be determined by means of weighing tanks, mounted on accurate scales. Before each use, the scales shall be balanced at zero load; thereupon the spirits shall be run into the weighing tank and proofed: *Provided*, That where the spirits are to be reduced in proof as authorized by this chapter, the spirits shall be so reduced before final determination of the proof. The scales shall then be brought to a balanced condition and the weight of the spirits determined by reading the beam to the nearest graduation mark. From the weight and the proof thus ascertained, the quantity of the spirits in proof gallons shall be determined by reference to table No. 4. When it is desired to withdraw a portion of the contents of a weighing tank, the difference between the quantity (ascertained by proofing and weighing) in the tank immediately before the removal of the spirits and the quantity (ascertained by proofing and weighing) in the tank immediately after the removal of the spirits shall be the quantity considered to be withdrawn.

(72 Stat. 1357, 1358; 26 U.S.C. 5202, 5204)

§ 186.42 Denatured spirits.

The quantity, in gallons, of any lot or package of specially denatured spirits may be determined by weighing it and then dividing its weight by the weight per gallon of the formula concerned, as given in the appropriate tables in subpart H of Part 212 of this chapter. In the case of completely denatured spirits, the gallonage of any lot or package may be ascertained by determining its weight and apparent proof (hydrometer indication, corrected to 60 degrees Fahrenheit) and then multiplying the weight by the wine gallons per pound factor shown in table No. 4 for the (apparent) proof.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.43 Packaged spirits.

When the quantity of spirits (including denatured spirits when gauged by weight) in packages, such as barrels, drums, and similar portable containers, is to be determined by gauge of the individual packages, such quantity shall be determined by weighing each package on an accurate weighing beam or platform scale having a beam or dial showing weight in pounds and half pounds, where packages having a capacity in excess of 10 wine gallons are to be gauged, or in pounds and ounces where packages designed to hold 10 wine gallons or less are to be gauged. In either case the tare must be determined and subtracted from the gross weight to obtain the net weight. From the proof and weight ascertained, the quantity of the spirits in proof gallons shall be determined by reference to tables 2, 3, or 4.

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

§ 186.44 Entry or filling gauge for packages.

(a) *General*. The spirits in the tank from which the packages are to be filled shall be thoroughly agitated before taking the proof. The proof determined after such agitation shall be regarded as the proof of the spirits run into all packages filled from the tank. No package which contains or has on its interior or exterior any substance which will prevent the correct ascertainment of tare shall be used. The tare or weight of empty packages shall be determined immediately prior to filling, except that the tare of a number of packages may be ascertained before any are filled but not exceeding the number which are to be filled on the same or the following day. An average tare (rounded to the nearest half pound, as described in section 186.45 for wooden packages) may be ascertained and used for metal packages of the same kind and capacity produced by the same manufacturer which are to be filled with spirits for industrial use, or with denatured spirits, by weighing not less than 20 percent of any lot of such packages. Not less than two packages shall be weighed to determine the average tare of any lot of five metal packages to be filled. The tares shall be recorded on the gauge report at the time they are ascertained. Whenever there is a change in the specifica-

tions as to capacity and weight of cooperage, the proprietor shall give notice to the internal revenue officer. When the packages have been filled, the gross weight of each will be ascertained. The wine gallon (if desired) and proof gallon contents may be determined from the proofs and the net weights of the packages, by the use of tables 2, 3, or 4, whichever is applicable.

(b) *Weighing packages of more than 10 wine gallons.* The weight of packages having a capacity in excess of 10 wine gallons shall be determined and recorded in pounds and half pounds.

(c) *Weighing containers of 10 wine gallons or less.* The weight for packages and other containers of a capacity of 10 wine gallons or less shall be determined in pounds and ounces, or pounds and hundredths of a pound, and shall be recorded in pounds and hundredths of a pound. The equivalent pounds and hundredths of a pound and the corresponding wine gallons and proof gallons shall be expressed as shown in the following table for the respective weights in pounds and ounces and proofs shown therein or, as applicable, computed in accordance with rules in this section.

190 PROOF SPIRITS

Size of container, wine gallons	Weight of contents			Contents in wine gallons	Proof gallons
	Pounds	Ounces	Weight in pounds and hundredths of a pound		
1.....	6	13	6.81	1	1.9
2.....	13	10	13.63	2	3.8
5.....	34	00	34.00	5	9.5
10.....	68	00	68.00	10	19.0

192 PROOF SPIRITS

Size of container, wine gallons	Weight of contents			Contents in wine gallons	Proof gallons
	Pounds	Ounces	Weight in pounds and hundredths of a pound		
1.....	6	13	6.81	1	1.9
2.....	13	9	13.56	2	3.8
5.....	33	13	33.81	5	9.6
10.....	67	10	67.63	10	19.2

200 PROOF SPIRITS

Size of container, wine gallons	Weight of contents			Contents in wine gallons	Proof gallons
	Pounds	Ounces	Weight in pounds and hundredths of a pound		
1.....	6	10	6.63	1	2.0
2.....	13	4	13.25	2	4.0
5.....	33	1	33.06	5	10.0
10.....	66	2	66.12	10	20.0

(d) *Packages of other proofs or sizes.* Where packages of proofs or sizes not shown above are to be filled, the following rule may be used for ascertaining the weight of the spirits to be placed in the package: Divide the number of gallons representing the quantity of spirits to be placed in the container by the fractional part of a gallon equivalent to one pound, to obtain the weight of the spirits in pounds and fractions of a pound to two decimal places. Reduce the decimal fraction of a pound to ounces by multiplying by 16, calling any fraction of an ounce a whole ounce. The pounds and ounces thus obtained will determine the point to which the spirits must be weighed to produce the results desired. If it is required to mark the

weight on the package in pounds and decimal fractions of a pound, it will be necessary to convert the ounces to hundredths of a pound. The fraction of a gallon equivalent to one pound at any given proof shall be ascertained by reference to table No. 4.

Example. It is desired to fill a one-gallon can with precisely one wine gallon of 194 proof spirits:

1.00 divided by 0.14866=6.73 pounds.
0.73 multiplied by 16=11.68 ounces, rounded to 12 ounces.

Weight of spirits—6 pounds, 12 ounces.

Weight, if required, to be marked on can—6.75 pounds.

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

§ 186.45 Withdrawal gauge for packages.

When wooden packages are to be individually gauged for withdrawal, actual or (on approval by the internal revenue officer) average tare of the packages shall be determined. The actual tare of a package shall be determined by weighing it after its contents (including rinse water, if any) have been temporarily removed to a separate container or vessel. The average tare method may be used only for lots of spirits of the same kind and cooperage which were warehoused within a period of ten days of each other at proofs differing by not more than 10 percent. Packages which have been changed in cooperage may not be included as a part of a lot containing packages not so changed. Packages which have been consolidated for further storage in bond may not be included as a part of a lot containing packages not so consolidated. The average increase in tare for a lot of spirits shall be established by finding the actual tare for not less than 20 percent of the packages to be gauged for withdrawal, and determining the actual increase in tare for such packages. Where application of the percentage to the number of packages to be withdrawn results in a fraction, the fraction will be counted as an additional package. The actual tares found shall be entered in the proper column of the gauge report for the packages for which they were determined, and an asterisk (*) shall be placed to the left of the serial numbers of such packages. The actual increase in tare of each such package shall be entered in the proper column of the gauge report and the average of these increases shall be determined by adding them together and dividing their sum by the number of packages weighed. If the average increase so found contains a fraction of a pound less than twenty-five hundredths (0.25), it shall be dropped; if twenty-five hundredths (0.25) or any intermediate fraction to and including seventy-five hundredths (0.75), it shall be called one-half pound; if above seventy-five hundredths (0.75), it shall be called one pound. The average increase in tare thus ascertained shall be regarded as the increase of each of the remaining packages enumerated in the application

for withdrawal and shall be added to the entry tare of each such package to determine the withdrawal tare. When this method is used, the words "average tare taken" shall be entered conspicuously on the gauge report. The packages to be used for the determination shall be selected by the internal revenue officer, and not less than two packages shall be selected to determine the average increase in tare of any lot of five packages or less. If the increase in tare varies more than six pounds as between any two re-used barrels in a lot, the average tare method may not be used for that lot and actual tare shall be taken on all of the packages. However, when any package selected for determining the average tare shows a decrease in tare or, except in the case of reused packages, no change in tare, the average tare method may not be used for that lot and actual tare shall be taken on all of the packages. Where the average tare method is used, the packages may not be rinsed. Where the contents of packages have been temporarily removed for determination of tare, the proof, if any rinse water is added to the spirits, shall be determined after a thorough mixing of the rinse water and the spirits and before return of the spirits to the rinsed packages, and the gross weight shall be determined after the spirits and any added rinse water have been returned to the packages. When metal packages are to be individually gauged for withdrawal, the tare established at the time of filling shall be used unless it appears that there has been a change in tare or the established tare is incorrect, in which case a new tare will be established. From the proofs and the net weights of the packages, the wine gallon (if desired) and the proof gallon contents shall be determined by the use of table 2. If either the weight or the proof is beyond the limitations of table 2, either table 3 or table 4 may be used.

(72 Stat. 1357, 1358; 26 U.S.C. 5202, 5204)

DETERMINATION OF QUANTITY BY VOLUME

§ 186.51 Procedure for measurement.

Where the quantity of spirits (including denatured spirits) is to be determined by volume, the measurement shall be made in tanks, or by meters or other devices or methods authorized by the Director, or as otherwise provided in this chapter. Denatured spirits may be measured volumetrically in tank cars or tank trucks on bonded premises if calibration charts for such conveyances, prepared or certified to by competent authorities or engineers, are provided at the premises. Where quantity is determined in tanks, the measurement, whether made directly in gallons or in depth of liquid (to be converted to gallons), shall be as accurate as is possible. Such measurements shall be made only in accurately calibrated tanks equipped with gauge glasses, float gauges, steel tapes, or other suitable measuring devices, whereby the actual contents can be correctly ascer-

tained. If the temperature of spirits (including denatured spirits) is other than the standard of 60° Fahrenheit, gallonage determined by volumetric measurement shall be corrected to the standard temperature by means of table No. 7. In the case of denatured spirits, the temperature-correction factor for the proof of the spirits used in denaturation will give sufficiently accurate results, except that the temperature-correction factor used for specially denatured spirits, Formula No. 18, should be that given in table No. 7 for 100 proof spirits. When the quantity of spirits, in wine gallons, has been determined by volumetric measurement, the number of proof gallons shall be obtained by multiplying the wine gallons by the proof of the spirits.

Example.

Gauge glass reading.....inches	88.
Wine gallons per inch.....	48.96
Temperature.....° F	72
Proof of spirits.....	86.8
Temperature correction factor (table 7).....	.995

48.96 W.G. × 88 = 4308.48 wine gallons.
4308.48 W.G. × 0.995 = 4286.94 wine gallons.
4286.94 W.G. × 0.868 = 3721.06392 = 3721.1 proof gallons.

(72 Stat. 1357, 1358; 26 U.S.C. 5202, 5204)

Example.

Temperature, ° F.....	69
Hydrometer reading.....	114
True percent of proof.....	110.4
Rounded to.....	110

Spirits to be transferred or withdrawn in bulk conveyances or by pipeline may be transferred or withdrawn with or without adjustment of proof. The proof of spirits to be transferred in bond or withdrawn from bond free of tax or without payment of tax in bulk conveyances or by pipeline, shall be determined to the nearest tenth and if not adjusted to a whole degree shall be rounded to a whole degree and such whole degree shall be the proof of transfer or withdrawal and shall be used in determining the proof gallons. The proof of spirits to be withdrawn after tax determination in bulk conveyances or by pipeline shall be determined to the nearest tenth, which shall be used in determining the taxable gallons in accordance with table 4 of this part.

*Examples.**Not tax determined*

Temperature.....° F	75
Hydrometer reading.....	193
True percent of proof.....	189.5
Proof to be used.....	190

Tax determined

Temperature.....° F	75
Hydrometer reading.....	193
True percent of proof.....	189.5
Proof to be used.....	189.5

Where fractional readings are ascertained, the proper interpolations will be made (see § 186.23). If the distilled spirits contain dissolved solids, temperature-correction of the hydrometer reading by the use of this table would result in apparent proof rather than true proof.

Subpart E—Prescribed Tables

§ 186.61 Table 1, showing the true percent of proof spirit for any indication of the hydrometer at temperatures between zero and 100 degrees Fahrenheit.

This table shows the true percent of proof of distilled spirits for indications of the hydrometer likely to occur in practice at temperatures between zero and 100° Fahrenheit. The left-hand column contains the reading of the hydrometer and on the same horizontal line, in the body of the table, in the "Temperature" column corresponding to the reading of the thermometer is the corrected reading or "true percent of proof." The table is computed for tenths of a percent. The proof of spirits in bond (except spirits which are less than 100 degrees of proof) which are to be filled into packages, including consolidated packages, shall be adjusted to a whole degree prior to such packaging. The proof of spirits in packages to be transferred in bond, withdrawn from bond, or withdrawn after tax determination shall be determined to the nearest tenth but shall be rounded to a whole degree, which shall be the proof used in determining the proof or taxable gallons. In rounding off where the decimal is less than five it will be dropped; if it is five or over a unit will be added.

Temperature, ° F.....	69
Hydrometer reading.....	117
True percent of proof.....	113.5
Rounded to.....	114

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

§ 186.62 Table 2, showing wine gallons and proof gallons by weight.

The wine and proof gallon content by weight and proof of packages of distilled spirits usually found in actual practice will be ascertained from this table. The left-hand column contains the weights. The true percent of proof is shown on the heading of each page in a range from 90 degrees to 200 degrees. Under the true percent of proof and on the same horizontal line with the weight will be found the wine gallons (at 60 degrees Fahrenheit) and the proof gallons respectively. Where either the weight or the proof of a quantity of spirits is beyond the limitations of this table, the number of proof gallons may be ascertained by reference to table 3. This table may also be used to ascertain the wine gallons (as 60 degrees Fahrenheit) and proof gallons of spirituous liquor containing dissolved solids where the weight, apparent proof (hydrometer indication corrected to 60 degrees Fahrenheit), and obscuration factor have been determined.

Example.

334 lbs. of distilled spirits

Apparent proof—105.0°.

Obscuration—0.8°.

True Proof $105.0° + 0.8° = 105.8° = 106°$.

334 lbs. at 105.0° apparent proof = 43.2 wine gallons.

43.2 wine gallons × 1.06 = 45.8 proof gallons.

In addition this table may be used to obtain the wine gallons, at the prevailing temperature, of most liquids within the range of the table, from the weight of the liquid and the uncorrected reading of the hydrometer stem. An application of this would be in determining the capacity of a package.

Example. It is desired to determine, or to check, the rated capacity of a package having a net weight of 395 pounds when completely filled with spirits having an uncorrected hydrometer reading of 113.0°. The full capacity of the package, 51.5 wine gallons, would be found by referring to the table at 395 pounds and 113° proof (hydrometer reading).

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

§ 186.63 Table 3, for determining the number of proof gallons from the weight and proof of spirituous liquor.

Where the weight or proof of a quantity of distilled spirits is not found in Table 2, the proof gallons may be ascertained from Table 3. The wine gallons (at 60 degrees Fahrenheit) may be ascertained by dividing the proof gallons by the proof.

Example. A tank car of spirits of 190 degrees of proof weighed 60,378 pounds net. We find—

	Proof gallons
60,000 pounds equal to.....	16,778.4
300 pounds equal to.....	83.9
70 pounds equal to.....	19.6
8 pounds equal to.....	2.2
	16,884.1

That is, the total weight of 60,378 pounds of spirits at 190 proof is equal to 16,884.1 proof gallons. The equivalent gallonage for 70 pounds is found from the column 700 pounds by moving the decimal point one place to the left; that for 8 pounds from the column 800 pounds by moving the decimal point two places to the left.

Example. A package of spirits at 86 proof weighed 321½ pounds net. We find—

	Proof gallons
300 pounds equal to.....	32.7
20 pounds equal to.....	2.2
1 pound equal to.....	.1
½ pound equal to.....	.1
	35.1

That is, 321½ pounds of spirits at 86 proof is equal to 35.1 proof gallons. The equivalent gallonage for 20 pounds is found from the column 200 pounds by moving the decimal point one place to the left; that for 1 pound from the column 100 pounds by moving the decimal point two places to the left; that for the ½ pound from the column 500 pounds by moving the decimal point three places to the left. Fractional gallons beyond the first decimal ascertained through use of this table will be dropped if less than 0.05 or will be added as 0.1 if 0.05 or more. The wine gallons (at 60 degrees Fahrenheit) may be determined by dividing the proof gallons by the proof. For example: 35.1 divided by 0.86 equals 40.8 wine gallons.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.64 Table 4, showing the fractional part of a gallon per pound at each percent and each tenth percent of proof of spirituous liquor.

This table provides a method for use in ascertaining the wine gallon (at 60 degrees Fahrenheit) and/or proof gallon contents of containers of spirits by multiplying the net weight of the spirits by the fractional part of a gallon per pound shown in the table for spirits of the same proof. Fractional gallons beyond the first decimal will be dropped if less than 0.05 or will be added as 0.1 if 0.05 or more.

Example. It is desired to ascertain the wine gallons and proof gallons of a tank of 190 proof spirits weighing 81,000 pounds.

$81,000 \times 0.14718 = 11,921.58 = 11,921.6$ wine gallons.
 $81,000 \times 0.27964 = 22,650.84 = 22,650.8$ proof gallons.

This table may also be used for ascertaining the quantity of water required to reduce to a given proof. To do this, divide the proof gallons of spirits to be reduced by the fractional part of a proof gallon per pound of spirits at the proof to which the spirits are to be reduced, and subtract from the quotient the net weight of the spirits before reduction. The remainder will be the pounds of water needed to reduce the spirits to the desired proof.

Example. It is desired to ascertain the quantity of water needed to reduce 1,000 pounds of 200 proof spirits, 302.58 proof gallons, to 190 proof:

302.58 divided by 0.27964 equal $1,082.03$ pounds, weight of spirits after reduction.
 $1,082.03$ minus $1,000$ equals 82.03 pounds, weight of water required to reduce to desired proof.

The slight variation between this table and tables 2, 3, and 5 on some calculations is due to the dropping or adding of fractions beyond the first decimal in those tables. This table may also be used to determine the wine gallons (at 60 degrees Fahrenheit) of distilled spirits containing dissolved solids from the total weight of the liquid and its apparent proof (hydrometer indication, corrected to 60 degrees Fahrenheit). The proof gallons may then be found by multiplying the wine gallons by the true proof.

Example.
 5,350 pounds of blended whisky containing added solids
 Temperature ° F..... 75.0°
 Hydrometer reading..... 92.0°
 Apparent proof..... 85.0°
 Obscuration..... 0.5°
 True proof..... 86.0°

$5,350.0 \text{ lbs.} \times 0.12676$ (W.G. per pound factor for apparent proof of 85.5°) = 678.2 wine gallons.

$678.2 \text{ W.G.} \times 0.86 = 583.3$ proof gallons.

(72 Stat. 1357, 1358, 1362; 26 U.S.C. 5202, 5204, 5211)

§ 186.65 Table 5, showing the weight per wine gallon (at 60 degrees Fahrenheit) and proof gallon at each percent of proof of spirituous liquor.

This table may be used to ascertain the weight of any given number of wine gallons (at 60 degrees Fahrenheit) or proof gallons of spirits by multiplying the pounds per gallon by the given num-

ber of gallons of the spirits. The table should be especially useful where it is desired to weigh a precise quantity of spirits.

Example. It is desired to ascertain the weight of 100 wine gallons of 190 proof spirits:

6.79434×100 equals 679.43 pounds, net weight of 100 wine gallons of 190 proof spirits.

Example. It is desired to ascertain the weight of 100 proof gallons of 190 proof spirits:

3.57597×100 equals 357.60 pounds, net weight of 100 proof gallons of 190 proof spirits.

The slight variation between this table and Tables 2 and 3 on some calculations is due to dropping or adding of fractions beyond the first decimal on those tables. This table also shows the weight per wine gallon (at the prevailing temperature) corresponding to each uncorrected reading of a proof hydrometer.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.66 Table 6, showing respective volumes of alcohol and water and the specific gravity in both air and vacuum of spirituous liquor.

This table provides an alternate method for use in ascertaining the quantity of water needed to reduce the strength of distilled spirits by a definite amount. To do this, divide the alcohol in the given strength by the alcohol in the required strength, multiply the quotient by the water in the required strength, and subtract the water in the given strength from the product. The remainder is the number of gallons of water to be added to 100 gallons of spirits of the given strength to produce a spirit of a required strength.

Example. It is desired to reduce spirits of 191 proof to 188 proof. We find that 191 proof spirits contains 95.5 parts alcohol and 5.59 parts water, and 188 proof spirits contains 94.0 parts alcohol and 7.36 parts water.

95.5 (the strength of 100 wine gallons of spirits at 191 proof) divided by 94.0 (the strength of 100 wine gallons of spirits at 188 proof) equals 1.01 .

7.36 (the water in 188 proof) multiplied by 1.01 equals 7.43 .

7.43 less 5.59 (the water in 191 proof spirits) equal 1.84 gallons of water to be added to each 100 wine gallons of 191 proof spirits to be reduced.

This rule is applicable for reducing to any proof; but when it is desired to reduce to 100 proof, it is sufficient to point off two decimals in the given proof, multiply by 53.73, and deduct the water in the given strength. Thus, to reduce 112 proof spirits to 100 proof:

$1.12 \times 53.73 = 47.75$ equals 12.42 gallons of water to be added to each 100 wine gallons of spirits to be reduced.

This table may also be used to obtain the proof gallonage of spirituous liquor according to weight and percent of proof.

Example.

It is desired to determine the number of gallons in 400 pounds of spirits of 141 percent of proof, multiply the weight of one gallon of water in air by the specific gravity in air of the spirits— 8.32823 by 0.88862 —the product (7.40063) divided into 400 gives 54.049 wine gallons, which rounded to the nearest hundredth is 54.05 and multiplied by 1.41 gives 76.2 proof gallons. In rounding

off where the decimal is less than five, it will be dropped; if it is five or over a unit will be added.

(72 Stat. 1358; 26 U.S.C. 5204)

§ 186.67 Table 7, for correction of volume of spirituous liquors to 60 degrees Fahrenheit.

This table is prescribed for use in correcting spirits to volume at 60 degrees Fahrenheit. To do this, multiply the wine gallons of spirits which it is desired to correct to volume at 60 degrees Fahrenheit by the factor shown in the table at the percent of proof and temperature of the spirits. The product will be the corrected gallonage at 60 degrees Fahrenheit. This table is also prescribed for use in ascertaining the true capacity of containers where the wine gallon contents at 60 degrees Fahrenheit have been determined by weight in accordance with Tables 2, 3, 4, or 5. This is accomplished by dividing the wine gallons at 60 degrees Fahrenheit by the factor shown in the table at the percent of proof and temperature of the spirits. The quotient will be the true capacity of the container.

Example. It is desired to ascertain the volume at 60 degrees Fahrenheit of 1,000 wine gallons of 190 proof spirits at 76 degrees Fahrenheit:

$1,000 \times 0.991$ equals 991 wine gallons, the corrected gallonage at 60 degrees Fahrenheit.

Example. It is desired to ascertain the capacity of a container of 190 proof spirits at 76 degrees Fahrenheit, shown by Table 2 to contain 55.1 wine gallons at 60 degrees Fahrenheit:

55.1 divided by 0.991 equals 55.6 wine gallons, the true capacity of the container when filled with spirits of 60 degrees temperature.

It will be noted that the table is prepared in multiples of 5 percent of proof and 2 degrees temperature. Where the spirits to be corrected are of an odd temperature, one-half of the difference, if any, between the factors for the next higher and lower temperature, should be added to the factor for the next higher temperature. For example, the correction factor for spirits of 180 proof at 53 degrees temperature should be taken at 1.004, and for the same proof spirits at 51 degrees temperature the correction factor should be taken as 1.0055. Likewise, where the percent of proof is other than a multiple of five, the difference, if any, between the next higher and lower proof should be divided by five and multiplied by the degrees of proof beyond the next lower proof, and the fractional product so obtained should be added to the factor for the next lower proof, or if such factor has been corrected because of odd temperature, to such corrected factor. For example, to ascertain the correction factor for spirits of 112 proof at 47 degrees temperature, we find the difference in the table of 0.001 between 46 degrees and 48 degrees temperature; accordingly, 0.0005 should be added to the factor (1.005) for the next higher temperature (48 degrees), giving a factor of 1.0055 for 47 degrees Fahrenheit; then we find also a difference of 0.001 between 110 proof and 115 proof, or 0.0002 for

each percent of proof. Accordingly, for 112 proof we multiply 0.0002 by 2 and get 0.0004 to be added to the factor for the next lower proof, or, in this case, to the corrected factor of 1.0055, making the factor to be used 1.0059.

(72 Stat. 1358; 26 U.S.C. 5204)

[F.R. Doc. 60-2597; Filed, Mar. 23, 1960; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

FROZEN SPINACH¹

United States Standards for Grades

Notice is hereby given that the United States Department of Agriculture is considering the revision of the United States Standards for Grades of Frozen Spinach (7 CFR, 52.1921 to 52.1932) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627). This revision, if made effective will be the sixth issue by the Department of grade standards for this product.

During the period of April 1956 to June 1959 two notices of proposed rule making, and extensions of time for submission of data, views, or arguments in connection therewith, were published in the FEDERAL REGISTER (21 F.R. 2624; 21 F.R. 3877; 22 F.R. 6767; 22 F.R. 10123; and 23 F.R. 395) regarding the proposed revision of the grade standards for this product. The proposed revision set forth below is the third proposal pertaining to these standards.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than September 15, 1960.

The proposed revision is as follows:

PRODUCT DESCRIPTION, STYLES, AND GRADES	
Sec.	
52.1921	Product description.
52.1922	Styles of frozen spinach.
52.1923	Grades of frozen spinach.
FACTORS OF QUALITY	
52.1924	Ascertaining the grade.
52.1925	Ascertaining the score for the factors which are rated.
52.1926	Color.
52.1927	Defects.
52.1928	Character.
DEFINITIONS AND METHODS OF ANALYSIS	
52.1929	Definition of terms.
52.1930	Method of analysis.
LOT INSPECTION AND CERTIFICATION	
52.1931	Ascertaining the grade of a lot.

¹ Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable state laws and regulations.

SCORE SHEET

Sec.
52.1932 Score sheet for frozen spinach.

AUTHORITY: §§ 52.1921 to 52.1932 issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

PRODUCT DESCRIPTION, STYLES AND GRADES

§ 52.1921 Product description.

Frozen spinach is prepared from the whole or cut, clean, sound, succulent leaves and stems of fresh spinach by sorting, trimming, washing, and proper blanching and draining of such leaves and stems. The product is then frozen in accordance with good commercial practices and maintained at temperatures necessary for the preservation of the product.

§ 52.1922 Styles of frozen spinach.

(a) "Whole leaf" spinach is the style of frozen spinach that consists substantially of the leaf and adjoining portion of the stem.

(b) "Cut" or "chopped" spinach is the style of frozen spinach that consists of the leaf and adjoining portion of the stem which has been cut or chopped into small pieces.

§ 52.1923 Grades of frozen spinach.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of frozen spinach that possesses a good flavor; that possesses a good color; that is practically free from defects; that possesses a good character; and that scores not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or "U.S. Extra Standard") is the quality of frozen spinach that possesses a reasonably good flavor; that possesses a reasonably good color; that is reasonably free from defects; that possesses a reasonably good character; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of frozen spinach that fails to meet the requirements of U.S. Grade B.

FACTORS OF QUALITY

§ 52.1924 Ascertaining the grade.

(a) In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

- (1) Factor not rated by score points.
 - (i) Flavor;
 - (2) Factors rated by score points.
- The relative importance of each factor which is rated is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color	20
Defects	60
Character	20
Total score	100

(b) The score for the factors of color and defects is determined immediately after thawing to the extent that the product is substantially free from ice crystals and can be handled as individual units. The evaluation of the factors of

character and flavor of frozen spinach is made after thawing and after the product is cooked.

(c) "Good flavor" means that the product has a good characteristic, normal flavor and odor and is free from objectionable flavors and objectionable odors of any kind.

(d) "Reasonably good flavor" means that the product may be lacking good flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

§ 52.1925 Ascertaining the score for the factors which are rated.

The essential variations within each factor which is rated are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is rated is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

§ 52.1926 Color.

(a) (A) classification. Frozen spinach that possesses a good color may be given a score of 17 to 20 points. "Good color" means that the frozen spinach possesses a bright, characteristic good green color; that yellow-green leaves, or portions thereof, or discolored leaves and stems, or portions thereof, which may be present do not materially affect the color appearance of the product.

(b) (B) classification. If the frozen spinach possesses a reasonably good color, a score of 14 to 16 points may be given. Frozen spinach that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the frozen spinach possesses a characteristic green color that may be dull but is not off color; that yellow-green leaves, or portions thereof, or discolored leaves and stems, or portions thereof, which may be present do not seriously affect the color appearance of the product.

(c) (SStd.) classification. Frozen spinach that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (This is a limiting rule).

§ 52.1927 Defects.

(a) General. The factor of defects refers to the degree of freedom from grit, sand, or silt; from harmless extraneous vegetable material, seed heads, root stubs, crowns, and damaged leaves and stems or portions thereof. Yellow-green leaves which are not otherwise damaged are not considered under the factor of defects but are scored under the factor of color.

(1) "Grit, sand, or silt" means any particle of earthy material.

(2) "Harmless extraneous vegetable material" means:

- (i) Group I—Green, fine, tender string-like blades and stems of grass and weeds;
- (ii) Group II—Green, coarse grass and weeds; and
- (iii) Group III—Grass and weeds other than green.

Grade classification		Maximum allowances								
		For each 10 ounces net weight								
		Damaged leaves			Harmless extraneous Vegetable material			Seed heads	Crowns	Each 48 ounce net weight root stubs
		Minor	Major	Severe	Group I	Group II	Group III			
A	When present singly	6 or	2 or	1	Inches 8 or	Inches 2 or	Inches 0	1	1	1
	When present in combination	4 2 2 0	1 2 0 0	0 0 1 1	6	2	0			
B	When present singly	12 or	3 or	1	12 or	3 or	3	3	3	3
	When present in combination	10 8 6 6 0	1 2 3 1 0 1	0 0 0 1 1 1	9 9 9 9	3 0 2 1	0 3 1 2			
SStd		Fails to meet requirements for U.S. grade B								

TABLE II—SUMMARY OF ALLOWANCES FOR CUT OR CHOPPED STYLE FROZEN SPINACH

Sample size	Area of damaged portions of leaves							
	1 $\frac{1}{16}$ sq. in. or less	1 $\frac{1}{16}$ to 1 $\frac{1}{8}$ sq. in. inclusive	Not more than 2 $\frac{1}{16}$ sq. in.	1 $\frac{1}{8}$ to 2 $\frac{1}{16}$ sq. in. inclusive	2 $\frac{1}{16}$ to 3 $\frac{1}{16}$ sq. in. inclusive	More than 3 $\frac{1}{16}$ sq. in. but not more than 3 sq. in.	More than 3 sq. in.	More than 3 $\frac{1}{16}$ sq. in.
Initial 2 ounces.	Pass for A.	Take additional 1 ounce.	XXXXXX XXXXXX XXXXXX	Pass for B.	Take additional 1 ounce.	XXXXXX XXXXXX XXXXXX	XXXXXX XXXXXX XXXXXX	Fails grade B.
Cumulative 3 ounces.	XXXXXX XXXXXX XXXXXX XXXXXX	XXXXXX XXXXXX XXXXXX XXXXXX	Pass for A.	XXXXXX XXXXXX XXXXXX XXXXXX	XXXXXX XXXXXX XXXXXX XXXXXX	Pass for B.	Fails grade B.	XXXXXX XXXXXX XXXXXX XXXXXX

§ 52.1928 Character.

(a) *General.* The factor of character refers to the tenderness of the leaves and stems, or portions thereof, the relation of stem to leaf material, and the degree of freedom from pieces of leaves and shredded portions of leaves and stems.

(1) "Stem material" means that portion of the spinach material below the point of attachment to the leaf.

(2) "Pieces of leaf" means any piece of a leaf (excluding stem material) having an area less than 2 square inches in Whole Leaf style.

(b) (A) *classification.* Frozen spinach that possesses a good character may be given a score of 17 to 20 points. "Good character" has the following meanings with respect to the following styles:

(1) *Whole Leaf style.* (i) That the spinach is tender; and that there may be present:

(ii) Not more than 20 percent, by weight, of the spinach that is stem material; and

(iii) Not more than 20 percent, by weight, of the spinach that is pieces of leaves.

(2) *Cut or chopped style.* (i) That the spinach is tender; and

(ii) That the appearance and eating quality of the product is not materially affected by the presence of stem material or that the product does not present a pureed or stringy appearance.

(c) (B) *Classification.* Frozen spinach that possesses a reasonably good character may be given a score of 14 to 16 points. Frozen spinach that falls into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" has the following meanings with respect to the following styles:

(1) *Whole leaf style.* (i) That the spinach is reasonably tender; and that there may be present:

(ii) Not more than 30 percent, by weight, of the spinach that is stem material; and

(iii) Not more than 30 percent, by weight, of the spinach that is pieces of leaves.

(2) *Cut or chopped style.* (i) That the spinach is reasonably tender; and

(ii) That the appearance and eating quality of the product is not seriously affected by the presence of stem material.

(d) (*SStd.*) *classification.* Frozen spinach that fails to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

DEFINITIONS AND METHODS OF ANALYSIS**§ 52.1929 Definition of terms.**

(a) *Aggregate area.* "Aggregate area" means the aggregated damaged areas of leaves, stems, or portions thereof, when placed in a contiguous position with practically no intervening spaces.

§ 52.1930 Method of analysis.

(a) "Weight of stem material" and "weight of pieces of leaves" are determined by the following method:

(1) Equipment.

8 inch, 8 mesh screen.
Flat surface suitable as cutting board.
Small knife.
Suitable scales.

(2) *Procedure.* (i) If the sample is 10 ounces or less use the entire sample, but if the sample is of a size exceeding 10 ounces, use a representative portion which will yield at least 10 ounces of drained spinach.

(ii) Place sample in deep grading tray and add water to a depth of approximately 1 inch. Separate leaves for defects and at the same time separate pieces of leaves and stem material, cutting the stem from the leaf at the lowest point of attachment. After separating place whole leaves, pieces of leaves, and stem material on sieve in separate piles, drain for 2 minutes, weigh, and record total combined weights. Determine weight of stem material and pieces of leaves separately. The weight of stem material divided by the total combined weights multiplied by 100 will give percent, by weight, of stem material. The weight of pieces of leaves divided by the total combined weights multiplied by 100 will give the percent, by weight, of pieces of leaves.

LOT INSPECTION AND CERTIFICATION**§ 52.1931 Ascertaining the grade of a lot.**

The grade of a lot of frozen spinach covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and

Certain Other Processed Food Products (§§ 52.1 to 52.87).

SCORE SHEET**§ 52.1932 Score sheet for frozen spinach.**

Container size.....	
Container code or marking.....	
Label.....	
Net weight (ounces).....	
Style.....	
Stem material (percent).....	
Pieces of leaves (percent).....	
Factors	
Score points	
Color.....	20 { (A) 17-20 (B) 14-16 (SStd.) 10-13
Defects.....	60 { (A) 51-60 (B) 42-50 (SStd.) 10-41
Character.....	20 { (A) 17-20 (B) 14-16 (SStd.) 10-13
Total score.....	100
Grade.....	
Flavor and odor.....	

¹ Indicates limiting rule.

Dated: March 21, 1960.

ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 60-2653; Filed, Mar. 23, 1960;
8:51 a.m.]

Commodity Stabilization Service**[7 CFR Part 814]****MAINLAND CANE SUGAR AREA****Notice of Hearing on Proposed Allotment, 1960 Sugar Quota**

Pursuant to the authority contained in the Sugar Act of 1948, as amended (61 Stat. 922, as amended) and in accordance with the applicable rules of practice and procedure (7 CFR 801.1 et seq) and on the basis of information available to me, I do hereby find that the allotment of the 1960 sugar quota for the Mainland Cane Sugar Area is necessary to prevent disorderly marketing and to afford all interested persons an equitable opportunity to market sugar, and hereby give notice that a public hearing will be held in New Orleans, Louisiana, in the Century Room A of the Monteleone Hotel on April 13, 1960, beginning at 10:00 a.m., c.s.t.

The purpose of this hearing is to receive evidence to enable the Secretary of Agriculture to make a fair, efficient and equitable distribution of the above-mentioned quota for the calendar year 1960 among persons who process and market sugar produced from sugar cane grown in the Mainland Cane Sugar Area. The preliminary finding made above is based upon the best information now available. It will be appropriate at the hearing to present evidence on the basis of which the Secretary may affirm, modify, or revoke such finding and make or withhold allotment of any such quota in accordance therewith.

In addition, the subjects and issues of this hearing include (1) the manner in which consideration should be given to

the statutory factors as provided in section 205(a) of the Act, and (2) the manner in which marketings within allotments shall be restricted.

This notice of hearing also constitutes notice that at such hearing it will be appropriate to present evidence on the basis of which the allotment of the quota or proration thereof may be revised or amended by the Secretary for the purposes of (1) allotting any increase, or decrease, in the quota resulting from a change in United States sugar requirements or from the proration of a deficit in the quota of any area; (2) prorating any deficit in the allotment for any allottee; and (3) substituting revised estimates or final data for estimates of such data wherever estimates are used in the formulation of an allotment of the quota.

Issued this 21st day of March 1960.

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 60-2656; Filed, Mar. 23, 1960;
8:52 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 601]

[Airspace Docket No. 60-FW-1]

CONTROL ZONES

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2135 of the regulations of the Administrator, the substance of which is stated below.

The Charlotte, N.C., control zone is presently designated within a 5-mile radius of Douglas Airport, within two miles either side of the south course of the Charlotte radio range extending from the radio range station to the Fort Mill, S.C., fan marker; and within 2 miles either side of the Charlotte ILS localizer course extending from the localizer to a point 10 miles southwest of the outer marker; and within 2 miles either side of the 005° and 185° True radials of the Charlotte VOR extending from the 5-mile radius zone to a point 10 miles south of the VOR.

The Federal Aviation Agency is considering modification of the Charlotte control zone by revoking the south extension based on the Charlotte radio range and the Fort Mill fan marker, revoking that portion of the control zone extension south of the Fort Mill VOR (formerly Charlotte VOR) and extending the southwest control zone extension to a point 12 miles southwest of the ILS outer marker. The Charlotte radio range and the Fort Mill fan marker are scheduled to be decommissioned approximately June 30, 1960. It therefore appears that the retention of the control zone extension south of the Douglas Airport, based on the Charlotte radio

range and the Fort Mill fan marker would be unjustified as an assignment of airspace and the revocation thereof would be in the public interest. In addition, modified instrument approach procedures based on the Fort Mill VOR will eliminate the requirement for a control zone extension south of the VOR. Therefore, it appears that the control zone extension south of the Fort Mill VOR would be an unnecessary assignment of airspace and that revocation thereof would be in the public interest. Concurrently, in order to provide protection for aircraft executing outer marker ADF instrument approaches to Douglas Field, it is proposed to extend the southwest control zone extension to a point 12 miles southwest of the ILS outer marker.

If this action is taken, the Charlotte, N.C., control zone would be redesignated within a 5-mile radius of the Douglas Airport (latitude 35°12'58" N., longitude 80°56'22" W.), Charlotte, N.C.; within 2 miles either side of the 005° True radial of the Fort Mill, N.C., VOR extending from the 5-mile radius zone to the Fort Mill VOR; within 2 miles either side of the southwest course of the Charlotte ILS localizer extending from the 5-mile radius zone to a point 12 miles southwest of the ILS outer marker.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
*Director, Bureau of
Air Traffic Management.*

[F.R. Doc. 60-2623; Filed, Mar. 23, 1960;
8:47 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-KC-2]

CONTROL ZONES

Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.2100 of the regulations of the Administrator, the substance of which is stated below.

The Glenview, Ill., control zone is presently designated within a 5-mile radius of the Glenview Naval Air Station and within 2 miles either side of the northwest course of the Glenview radio range extending to a point 10 miles northwest of the radio range. The Federal Aviation Agency has under consideration the modification of the Glenview control zone by designating a control zone extension within 2 miles either side of the 158° True radial of the Northbrook, Ill., VOR extending from the Glenview 5-mile radius zone and the Chicago, Ill., 5-mile radius zone to the VOR to provide protection for aircraft conducting IFR approaches and departures at Pal-Waukee Airport, which is located within the Glenview control zone. In addition, the present 10-mile extension, based on the northwest course of the Glenview radio range, would be increased to 12 miles to provide protection for aircraft conducting prescribed instrument approaches based on the radio range. The Glenview control zone would be further modified to exclude that portion of this control zone which overlies the Chicago, Ill., control zone, thus eliminating the present unnecessary duplication of designated airspace.

If this action is taken, the Glenview, Ill., control zone would be designated within a 5-mile radius of the Glenview, Ill., Naval Air Station (latitude 42°05'21" N., longitude 87°49'07" W.), within 2 miles either side of the northwest course of the Glenview radio range extending from the 5-mile radius zone to a point 12 miles northwest of the radio range, and within 2 miles either side of the 158° True radial of the Northbrook, Ill., VOR extending from the Glenview 5-mile radius zone and the Chicago, Ill., 5-mile radius zone to the VOR, excluding that portion which overlies the Chicago control zone.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal

Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2624; Filed, Mar. 23, 1960;
8:47 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 59-KC-81]

CONTROL AREAS

Modification of Control Area Extension

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.1188 of the regulations of the Administrator, the substance of which is stated below.

The Milwaukee, Wis., control area extension is presently designated within a 20-mile radius of General Mitchell Field including the airspace south of Milwaukee bounded on the northeast and east by VOR Federal airway No. 217, on the south by VOR Federal airway No. 172 and on the west by VOR Federal airway No. 9. The Federal Aviation Agency has under consideration the modification of the Milwaukee control area extension by expanding it north-eastward to the boundary of VOR Federal airway No. 30 south alternate, eastward to the 013° True radial of the Chicago Heights, Ill., VOR and south to VOR Federal airway No. 7 and 7 east alternate. The additional area which would be designated as control area by this proposed modification consists of approximately 129 square miles over Lake Michigan. This expansion of the Milwaukee control area extension would provide additional area for the protection of air traffic while in radar vector patterns in the Milwaukee and Chicago, Ill., terminal areas.

If this action is taken, the Milwaukee, Wis., control area extension would be designated within a 20-mile radius of General Mitchell Field, Milwaukee (latitude 42°56'51" N., longitude 87°53'58" W.), including the airspace south of Milwaukee bounded on the northeast by VOR Federal airway No. 30 south alternate, on the east by the Chicago Heights,

Ill., VOR 013° True radial, on the south by VOR Federal airway No. 172, and on the southwest and west by VOR Federal airway No. 9.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2625; Filed, Mar. 23, 1960;
8:47 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 59-KC-36]

CONTROL ZONES

Modification of Proposal

In a Notice of Proposed Rule Making published in the FEDERAL REGISTER on October 21, 1959 (24 F.R. 8506), it was stated that the Federal Aviation Agency proposed to modify the Indianapolis, Ind., control zone by lengthening the west control zone extension, which is based on the west course of the Indianapolis radio range, to extend to a point 12 miles west of the radio range; revoking the control zone extension to the southwest based on the Indianapolis Wier Cook Municipal Airport ILS localizer southwest course; and by revoking the portion of the control zone extension based on the Indianapolis VORTAC, which extends northwest of the VORTAC.

Subsequent to publication of the Notice, it has been determined that there is a continued requirement for the control zone extension to the southwest

based on the Indianapolis Wier Cook Municipal Airport ILS localizer southwest course because of terrain features. Accordingly, the portion of the proposal concerned with the revocation of the southwest control zone extension based on the localizer southwest course is hereby withdrawn. In lieu thereof, it is proposed to extend the existing southwest control zone extension to a point 12 miles southwest of the ILS outer marker. This would provide protection for aircraft executing the procedure turn portion of the ADF instrument approach procedure. The prescribed ADF instrument approach authorizes procedure turn within 10 nautical miles (approximately 12 statute miles) of the outer marker.

If this action is taken, the Indianapolis, Ind., control zone would be designated within a 5-mile radius of the geographical center of Indianapolis Wier Cook Municipal Airport (latitude 39°43'42" N., longitude 86°17'04" W.); within 2 miles either side of the Indianapolis Wier Cook ILS localizer southwest course extending from the 5-mile radius zone to a point 12 miles southwest of the outer marker; within 2 miles either side of the west course of the Indianapolis radio range, extending from the 5-mile radius zone to a point 12 miles west of the radio range; and within 2 miles either side of the 143° True radial of the Indianapolis VORTAC extending from the 5-mile radius zone to the VORTAC.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the date for filing such material will be extended to April 15, 1960.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the time within which comments will be received for consideration on Airspace Docket No. 59-KC-36 is extended to April 15, 1960. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2626; Filed, Mar. 23, 1960;
8:47 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 59-WA-314]

CONTROL ZONES

Modification of Proposal

In a Notice of Proposed Rule Making published as Airspace Docket No. 59-WA-314, in the FEDERAL REGISTER on December 29, 1959 (24 F.R. 10916), it was stated that the Federal Aviation Agency

proposed to modify the King Salmon, Alas., control zone to include an extension within 2 miles either side of the 123° and 303° True radials of a VORTAC to be installed approximately June 15, 1960, near King Salmon at latitude 58°43'31" N., longitude 156°45'00" W., extending from the 5-mile radius zone to a point 10 miles northwest of the VORTAC. It has been determined that a 12-mile control zone extension based on the 132° and 312° True radials is required in order to provide adequate protection for aircraft conducting VORTAC instrument approaches to the King Salmon Airport. Since the VORTAC instrument approach procedures are based on the 132° and 312° True radials and not via the 123° and 303° True radials, the Notice is being modified accordingly. Also, since publication of the original proposal (Airspace Docket No. 59-WA-314), the Department of the Air Force has proposed that an extension from the King Salmon 5-mile radius zone to a point 11 miles northwest of the King Salmon TACAN be designated in order to provide protection for aircraft conducting TACAN instrument approaches to King Salmon Airport. Therefore, the original proposal is additionally amended to include this proposal.

If this action is taken, the King Salmon, Alas., control zone would be redesignated within a 5-mile radius of the geographical center (latitude 58°40'40" N., longitude 156°38'55" W.) of the King Salmon Airport and within 2 miles either side of the 132° and 312° True radials of the King Salmon VORTAC extending from the 5-mile radius zone to a point 12 miles northwest of the VORTAC; 2 miles either side of the King Salmon TACAN 301° True radial from the 5-mile radius zone to a point 11 miles northwest of the TACAN.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the closing date for filing such material shall be extended to April 15, 1960.

In view of the above and pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the time within which comments will be received for consideration on Airspace Docket No. 59-WA-314 is extended to April 15, 1960.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2627; Filed, Mar. 23, 1960;
8:47 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-FW-6]

CONTROL ZONES

Designation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration a proposal by the Department of the Army for the designation of a control zone at Fort Hood, Army Airfield, Texas. The control zone would be designated within a 5-mile radius of Fort Hood Army Airfield, excluding the portions which coincide with the Fort Hood Restricted Area (R-219) and the Killeen, Tex., control zone. The Fort Hood control zone would provide protection for aircraft arriving and departing Fort Hood Army Airfield during instrument flight rule conditions.

If such action is taken, the Fort Hood, AAF, Tex., control zone would be designated within a 5-mile radius of the Fort Hood Army Airfield (latitude 31°08'15" N., longitude 97°42'50" W.), excluding the portions which coincide with the Fort Hood, Tex., Restricted Area (R-219) and the Killeen, Tex., control zone (§ 601.2423).

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be sub-

mitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Division Chief.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2628; Filed, Mar. 23, 1960;
8:47 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 59-WA-283]

CONTROL ZONES

Withdrawal of Proposal To Designate a Control Zone

In a Notice of Proposed Rule Making published in the FEDERAL REGISTER (24 F.R. 9372) as Airspace Docket No. 59-WA-283 on November 20, 1959, it was stated that the Federal Aviation Agency proposed to designate a control zone at Stevens Point, Wis., within a 5-mile radius of the Stevens Point Airport with extensions northeast, southeast, southwest and northwest. Subsequent to the Notice, it was determined that weather reporting and ground/air communications services would not be available at Stevens Point Airport for some time. Instrument approach for the Stevens Point Airport will not be prescribed until these services are available. Therefore, the control zone is not required at this time.

In consideration of the foregoing the Notice of Proposed Rule Making contained in Airspace Docket No. 59-WA-283 is hereby withdrawn.

Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752, 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on March 17, 1960.

D. D. THOMAS,
Director, Bureau of
Air Traffic Management.

[F.R. Doc. 60-2629; Filed, Mar. 23, 1960;
8:47 a.m.]

Notices

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13381, 13439; FCC 60-252]

AMERICAN TELEPHONE AND TELEGRAPH CO. ET AL.

Order Assigning Matter for Public Hearing

In the matter of American Telephone and Telegraph Company, Docket No. 13381; regulations and charges for components of a distinctive tone and circuit assurance arrangement; American Telephone and Telegraph Company, et al., Docket No. 13439; regulations and charges for certain equipment on an 82-B-1 type relay system for use in connection with private line teletypewriter service.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 16th day of March 1960;

The Commission having under consideration certain new tariff schedules filed by American Telephone and Telegraph Company on behalf of the California Water and Telephone Company, a connecting carrier, under transmittal number 6231, to become effective April 1, 1960, and establishing regulations and charges for certain equipment on an 82-B-1 type relay system for use in connection with private line teletypewriter service, which tariff schedules are designated as follows: Tariff F.C.C. No. 208, 8th Revised Page 35A and 3d Revised Page 35 CA.

It appearing that the Commission is unable to determine that the regulations and charges contained in the above-mentioned new tariff schedules are or will be just and reasonable or otherwise lawful under the provisions of section 201(b) or section 202(a) of the Communications Act of 1934, as amended;

It further appearing that no rights and interests of the public will be substantially affected if the schedules are permitted to become effective on the date scheduled since there is only one customer who would be affected by such schedules, and such customer has a remedy by way of complaint for damages pursuant to section 208 of the Communications Act of 1934, as amended;

It further appearing that some of the issues to be resolved therein are substantially the same as certain issues to be resolved in Docket No. 13381, and that much of the evidence to be adduced upon the record will be duplicative;

It further appearing that consideration of the present tariff schedules together with the tariff schedules under consideration in the proceedings in Docket No. 13381 will best conduce to the proper dispatch of business and to the ends of justice;

It is ordered, That, pursuant to the provisions of sections 201, 202, 205 and

403 of the Communications Act of 1934, as amended, an investigation and hearing are hereby instituted into the lawfulness of the above-mentioned tariff schedules;

It is further ordered, That without in any way limiting the scope of the investigation, it shall include consideration of the following:

1. Whether any of the classifications, regulations, and practices contained in the above-mentioned tariff schedules are or will be unjust and unreasonable within the meaning of section 201(b) of the Communications Act of 1934, as amended;

2. Whether the above-mentioned tariff schedules will subject any person or class of persons to unjust and unreasonable discrimination, or give any undue or unreasonable preference or advantage to any person, class of persons, or locality, or subject any person, class of persons, or locality to any undue or unreasonable prejudice or disadvantage within the meaning of section 202(a) of the Communications Act of 1934, as amended;

3. Whether the Commission should prescribe just and reasonable classifications, regulations, and practices to be hereafter followed with respect to the service governed by the aforementioned tariff schedules and, if so, what classifications, regulations, and practices should be prescribed;

It is further ordered, That, on the Commission's own motion and in compliance with the provisions of § 1.106 of its rules and regulations, the investigation and hearing herein are consolidated with the proceedings in Docket No. 13381;

It is further ordered, That the American Telephone and Telegraph Company and California Water and Telephone Company are hereby made parties respondent in the proceedings herein.

Released: March 21, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-2657; Filed, Mar. 23, 1960; 8:52 a.m.]

[Docket No. 13426; FCC 60M-509]

CHARLIE KULLMAN

Order Scheduling Hearing

In the matter of Charlie Kullman, 1268 Oak Park Drive, Aransas Pass, Texas, Docket No. 13426; order to show cause why there should not be revoked the license for radio station WB-9777 aboard the vessel "Hustler".

It is ordered, This 16th day of March 1960, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled

to commence on May 24, 1960, in Washington, D.C.

Released: March 18, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-2658; Filed, Mar. 23, 1960; 8:52 a.m.]

[Docket Nos. 12991, 12992; FCC 60M-511]

SUBURBAN BROADCASTING CO., INC., AND CAMDEN BROADCASTING CO.

Order Scheduling Prehearing Conference

In re applications of Suburban Broadcasting Company, Inc., Mount Kisco, New York, Docket No. 12991, File No. BPH-2620; Donald Jerome Lewis, tr/as Camden Broadcasting Co., Newark, New Jersey, Docket No. 12992, File No. BPH-2624; for construction permits for new FM broadcast stations.

On the Examiner's own motion: It is ordered, This 17th day of March 1960, that a further prehearing conference in the above-entitled proceeding will be held on April 8, 1960, in the offices of the Commission, Washington, D.C.

Released: March 18, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS, Secretary.

[F.R. Doc. 60-2659; Filed, Mar. 23, 1960; 8:52 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-20522 etc.]

BENEDUM-TREES OIL CO. AND LAMAR HUNT

Order Providing for Hearings and Suspending Proposed Changes in Rates; Amendment

MARCH 16, 1960.

Benedum-Trees Oil Company, Docket No. G-20522, et al.; Lamar Hunt, Docket No. G-20528.

In the Order Providing For Hearings And Suspending Proposed Changes In Rates, issued January 6, 1960, and published in the Federal Register on January 13, 1960 (25 FR, p. 259-260): "Docket No. G-20528—Lamar Hunt—Rate Schedule No. 5—Supplement No. 5" the supplement should be corrected to read "Supplement No. 2."

JOSEPH H. GUTRIDE, Secretary.

[F.R. Doc. 60-2630; Filed, Mar. 23, 1960; 8:47 a.m.]

[Docket No. E-6930]

BLACK HILLS POWER AND LIGHT CO.**Notice of Application**

MARCH 16, 1960.

Take notice that on March 9, 1960, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Black Hills Power and Light Company ("Applicant"), a corporation organized under the laws of the State of South Dakota and doing business in the States of South Dakota and Wyoming, with its principal business office at Rapid City, South Dakota, seeking an order authorizing the issuance of \$1,000,000 in principal amount of First Mortgage Bonds, Series J, 5½ percent. The aforesaid First Mortgage Bonds would be dated April 1, 1960 and would mature April 1, 1990. Applicant proposes to issue the First Mortgage Bonds under the Indenture of Mortgage and Deed of Trust of the Applicant to The Hanover Bank of New York City, as Trustee, dated as of Sep-

tember 1, 1941, as supplemented and amended to and including May 1, 1959, and by a proposed supplemental Indenture to be dated as of April 1, 1960. Applicant proposes through its agent, Dillon, Read & Co. Inc., to sell the aforesaid Bonds to The Equitable Life Assurance Society of the United States. Applicant states that the proceeds from the issuance and sale of the First Mortgage Bonds, which will be less than \$1,000,000, will be used for additions and improvements to its properties.

Any person desiring to be heard or to make any protests with reference to said application should on or before the 11th day of April 1960, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-2631; Filed, Mar. 23, 1960;
8:48 a.m.]

[Docket Nos. RI60-180—RI60-186]

TEXACO INC., ET AL.**Order Providing for Hearing on and Suspension of Proposed Changes in Rates¹**

MARCH 16, 1960.

Texaco Inc., Docket No. RI60-180; American Petrofina Company of Texas, Docket No. RI60-181; Midwest Oil Corporation (Operator), et al., Docket No. RI60-182; Texaco Inc. (Operator), et al., Docket No. RI60-183; Gulf Oil Corporation, Docket No. RI60-184; Sun Oil Company, Docket No. RI60-185; Humble Oil & Refining Company, Docket No. RI60-186.

The above-named Respondents have tendered for filing purposed changes in presently effective rate schedules for sales of natural gas, subject to the jurisdiction of the Commission. In each filing the natural gas is sold at 14.65 psia, with the exception of Midwest Oil Corporation (Operator), et al., which is sold at 15.025 psia. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supp. No.	Purchaser and producing area	Notice of change dated—	Date tendered	Effective date ¹ unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.—
									Rate in effect	Proposed increased rate	
RI60-180	Texaco Inc.	138	2	Tennessee Gas Transmission Co. (North Rincon Field, Starr County, Tex.).	Undated	2-15-60	3-17-60	8-17-60	13.125	17.24347	-----
RI60-180	do	139	3	Tennessee Gas Transmission Company (Odem Field, San Patricio County, Tex.).	Undated	2-15-60	3-17-60	8-17-60	13.125	17.24347	-----
RI60-180	do	150	2	Tennessee Gas Transmission Co. (Piedre Lumbré Field, Duval County, Tex.).	Undated	2-15-60	3-17-60	8-17-60	13.125	17.24347	-----
RI60-180	do	154	2	Tennessee Gas Transmission (La Copita Field, Starr County, Tex.).	Undated	2-15-60	3-17-60	8-17-60	13.125	17.24347	-----
RI60-181	American Petrofina Company of Texas.	7	3	Texas Eastern Transmission Corp. (Bird Island Field, Kleburg County, Tex.).	Undated	2-15-60	4-1-60	9-1-60	14.4	14.8	-----
RI60-182	Midwest Oil Corporation (Operator), et al.	20	4	United Fuel Gas Co. (Ellis Field, Acadia Parish, La.).	2-10-60	2-15-60	3-17-60	8-17-60	19.1	19.5	-----
RI60-183	Texaco Inc. (Operator), et al.	133	23	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Texas and Beaver Counties, Okla.).	Undated	2-16-60	3-21-60	8-21-60	16.6	16.8	G-17999
RI60-184	Gulf Oil Corporation	171	2	Panhandle Eastern Pipe Line Co. (Camrick Field, Texas County, Okla.).	Undated	2-17-60	3-22-60	8-22-60	16.4	16.6	-----
RI60-185	Sun Oil Company	110	1	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Beaver County, Okla.).	2-8-60	2-17-60	3-21-60	8-21-60	16.6	16.8	-----
RI60-186	Humble Oil & Refining Company.	202	6	Panhandle Eastern Pipe Line Co. (Enns Field, Texas County, Okla.).	2-17-60	2-18-60	3-22-60	8-22-60	16.6	16.8	-----
RI60-186	do	213	3	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Beaver County, Okla.).	2-17-60	2-18-60	3-21-60	8-21-60	16.6	16.8	-----
RI60-186	do	215	3	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Beaver County, Okla.).	2-17-60	2-18-60	3-21-60	8-21-60	16.6	16.8	G-18325
RI60-186	do	220	3	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Beaver County, Okla.).	2-17-60	2-18-60	3-21-60	8-21-60	16.6	16.8	G-18060
RI60-186	do	227	2	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Beaver County, Okla.).	2-17-60	2-18-60	3-21-60	8-21-60	16.6	16.8	-----
RI60-186	do	229	2	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Beaver County, Okla.).	2-17-60	2-18-60	3-21-60	8-21-60	16.6	16.8	-----
RI60-186	do	191	12	Natural Gas Pipeline Co. of America (Camrick Southeast Field, Texas County, Tex.).	2-17-60	2-18-60	3-21-60	8-21-60	16.6	16.8	G-17990

¹ The stated effective dates are those requested by Respondents or thirty days after expiration of the required thirty days notice, whichever is later.

In support of its proposed favored-nation increases, Texaco Inc. cites the triggering price a redetermined rate of 17.2437 cents per Mcf which became payable on January 1, 1960, under the terms of an industrial gas sales contract dated November 22, 1956, between Tennessee Gas Transmission Company and Phillips Petroleum Company. In addition, Texaco states that the increase is one of several price adjustments all comprising one overall contract consideration or

price, to partially compensate seller for continuously increasing costs of development, operation and maintenance; that exploratory expenditures have increased due to drilling at deeper depths and in more inaccessible places; and that the proposed rate is less than the going price for gas in the area. Texaco Inc. (Operator), et al., makes similar statements in support of its proposed periodic rate increase for sales of natural gas to the

Natural Gas Pipeline Company of America.

Sun Oil Company and Humble Oil & Refining Company (Humble) in support of their periodic rate increases state that their contracts were negotiated at arm's length and that the proposed rates do not exceed the value of gas in the

¹ This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

area. In this connection, Humble cites 17.0 cents per Mcf rates under contracts in the Oklahoma Panhandle area for sales of gas to Transwestern Pipeline Company and Michigan Wisconsin Pipe Line Company.

Gulf Oil Corporation (Gulf) in support of its periodic increase, states that its contract was negotiated at arm's length, and incorporates by reference certain exhibits presented by Gulf in the section 5 (a) rate proceedings in Docket Nos. G-9520, et al., which purport to show a cost of service of 28.92 cents per Mcf for Gulf's jurisdictional sales in 1957, higher exploration and development costs, and a declining production on a "per foot drilled" basis.

American Petrofina Company of Texas in support of its two-step periodic increase states that its contract of sale was negotiated at arm's length; that the pricing provisions of the contract are necessary to protect seller against increased costs, inflation and market fluctuations over the long term of the contract; and that the proposed rate does not exceed the current prices for gas in the area.

Midwest Oil Corporation (Operator), et al., in support of its periodic increase states that its contract of sale was negotiated at arm's length; that the periodic escalation clause has a useful purpose in that it permits a lower initial price for the gas at a time when the pipeline's costs are heavy, and that the proposed rate is necessary to provide funds for additional exploration and development.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act (18 CFR, Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, each of the above-designated supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Rate Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before May 2, 1960.

By the Commission (Commissioner Kline dissenting).

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-2632; Filed, Mar. 23, 1960;
8:48 a.m.]

INTERNATIONAL JOINT COMMISSION

PASSAMAQUODDY TIDAL POWER

Public Notice

MARCH 21, 1960.

The International Joint Commission will conduct a public hearing at 10 a.m. local time on April 22, 1960, in the Calais Memorial High School, Calais, Maine.

On August 2, 1956, the Governments of Canada and the United States requested that the Commission make a joint examination and advisory report, including conclusions and recommendations. The letter from the Governments stated:

(a) It is desired that the Commission determine the estimated cost of developing the international tidal power potential of Passamaquoddy Bay in the State of Maine and the Province of New Brunswick, and determine whether such cost would allow hydroelectric power to be produced at a price which is economically feasible;

(b) The Commission is requested to determine the effects, beneficial or otherwise, which such a power project might have on the local and national economies in the United States and Canada, and to this end, to study specifically the effects which the construction, maintenance and operation of the tidal power structures might have upon the fisheries in the area.

Pursuant to the above, the purpose of the hearing is to receive testimony and evidence bearing on the findings and conclusions set forth in the reports of the International Passamaquoddy Engineering Board and the International Passamaquoddy Fisheries Board. The reports of the boards were made available for examination in November 1959, and the Commission requested that initial comments be submitted by December 31, 1959. The Commission is particularly interested in receiving comments concerning the alternative auxiliary sources of power presented in the engineering report.

At the hearing all interested persons will be given an opportunity to express their views. Interests in the United States wishing to make oral statements are urged to contact Mr. Sumner Pike of Lubec, Maine, Chairman of the Maine Governor's Committee on Passamaquoddy Tidal Power Development. Mr. Pike will organize the order of presentations and appearances known to him in order to utilize the time available to best advantage. Because of the limited time available, oral statements should be as brief as possible and may be sup-

plemented by written submissions which will be made part of the record.

Where written submissions are filed with the Secretaries, either before or at the hearing, 50 copies should be provided.

Location where reports may be examined:

Augusta, Maine: Maine Department of Industry and Commerce; Maine Department of Inland Fisheries and Game; Maine Department of Sea and Shore Fisheries; Maine State Library, State House.

Bangor, Maine: Bangor Public Library; U.S. Army Corps of Engineers Area Office, Dow Field.

Brunswick, Maine: Bowdoin College Library. Calais, Maine: Calais Free Public Library and Reading Room; City Manager.

Caribou, Maine: Caribou Public Library, 14 High Street.

Castine, Maine: Maine Maritime Academy Library.

Eastport, Maine: City Manager; Peavey Memorial Library; Washington County Chamber of Commerce, Quoddy Village.

Fort Kent, Maine: Fort Kent Chamber of Commerce; Fort Kent Public Library.

Gloucester, Mass.: U.S. Fish and Wildlife Service Regional Office.

Houlton, Maine: Cary Free Public Library. Main Street; Houlton Chamber of Commerce.

Lewiston, Maine: Bates College Library.

Lubec, Maine: Lubec Memorial Library; Town Manager.

New York, N.Y.: Regional Engineer, Federal Power Commission, 139 Centre Street; U.S. Army Corps of Engineers Division Office, 1216 Federal Office Building, 90 Church Street.

Orono, Maine: University of Maine Library.

Portland, Maine: U.S. Army Corps of Engineers Area Office, Baxter Block; Portland Public Library; University of Maine in Portland, 23 Brighton Avenue.

Providence, R.I.: U.S. Army Corps of Engineers Area Office, 187 Westminster Street.

Waltham, Mass.: U.S. Army Corps of Engineers Division Office, 424 Trapelo Road.

Washington, D.C.: International Joint Commission, United States and Canada, United States Section, Room 786, Federal Trade Building; Bureau of Commercial Fisheries, United States Fish and Wildlife Service, Department of the Interior, 18th and C Streets NW.; Bureau of Power, Federal Power Commission, 441 G Street NW.; Office of the Chief of Engineers, Department of the Army, Building T-7, Arlington, Va. Waterville, Maine: Colby College Library.

HARRY J. DONOHUE,
Secretary, United States Section,
International Joint Commission.

MARCH 18, 1960.

[F.R. Doc. 60-2638; Filed, Mar. 23, 1960;
8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3868]

NATIONAL FUEL GAS CO. ET AL.

Notice of Proposed Issuance and Sale of Principal Amount of Debentures at Competitive Bidding, and Intra- system Issuance, Sale and Acquisition of Unsecured Promissory Notes

MARCH 17, 1960.

In the matter of National Fuel Gas Company, Iroquois Gas Corporation,

[File No. 70-3869]

Pennsylvania Gas Company, United Natural Gas Company, File No. 70-3868.

Notice is hereby given that National Fuel Gas Company ("National"), a registered holding company, and its gas utility subsidiaries, Iroquois Gas Corporation ("Iroquois"), Pennsylvania Gas Company ("Pennsylvania") and United Natural Gas Company ("United") have filed with this Commission a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9(a), 10, 12(b) and 12(f) of the Act and Rules 23, 43, 45 and 50 thereunder as applicable to the proposed transactions. All interested persons are referred to said joint application-declaration on file in the office of the Commission for a statement of the proposed transactions which are summarized as follows:

National proposes to issue and sell, pursuant to the competitive bidding requirements of Rule 50, \$18,000,000 principal amount of -- percent Sinking Fund Debentures Due 1985, to be dated April 1, 1960. The interest rate (which shall be a multiple of $\frac{1}{8}$ of 1 percent) and the price, exclusive of accrued interest, to be paid to National (which shall be not less than 100 percent nor more than 102 $\frac{3}{4}$ percent of the principal amount thereof) will be determined by the competitive bidding. The debentures are to be issued under an Indenture, date as of April 1, 1960, between National and Irving Trust Company, as Trustee.

The proceeds from the proposed sale of debentures will be applied to the prepayment of National's bank loans of \$10,800,000 due July 1, 1960, with The Chase Manhattan Bank and the balance of \$7,200,000 will be loaned to Iroquois, Pennsylvania and United. These subsidiaries also propose to refinance short-term notes payable to National maturing July 1, 1960, in the aggregate amount of \$10,800,000.

To effectuate the foregoing intrasystem transactions, National has entered into separate credit agreements, dated March 1, 1960, with the above-named subsidiaries providing for the issuance, sale and acquisition, during the period April 20, 1960, to December 31, 1960 of unsecured long-term promissory notes as follows:

Iroquois will issue and sell, and National will acquire, 20 notes, each of which will be in the face amount of \$665,000, for an aggregate consideration of \$13,300,000, such notes to mature serially on January 15 in each of the years 1966 through 1985; Pennsylvania will issue and sell, and National will acquire, 20 notes, each of which will be in the face amount of \$125,000, for an aggregate consideration of \$2,500,000, such notes to mature serially on January 15 in each of the years 1966 through 1985; United will issue and sell, and National will acquire, 22 notes each of which will be in the face amount of \$100,000, for an aggregate consideration of \$2,200,000, such notes to mature serially on January 15 in each of the years 1964 through 1985.

All of the above notes will bear an annual interest rate equivalent to the coupon rate of National's proposed debenture issue, described above, and the notes may be prepaid at any time, in whole or in part, without penalty.

The net proceeds of the foregoing sales of notes will be used by the subsidiaries, together with other available funds to make needed additions to their utility plants and underground gas storage inventories during 1960, estimated to aggregate \$13,000,000, increase and replenish their working capital and, as previously indicated, prepay on April 20, 1960, their short-term notes payable to National maturing on July 1, 1960, in the aggregate amount of \$10,800,000.

The estimated fees and expenses to be paid by National in connection with the proposed sale of debentures aggregate \$67,000 and include \$19,800 for Federal stamp tax, \$8,500 for fees of Trustee, \$6,500 for fees of company counsel, \$2,500 for auditors' fees, \$19,000 for printing and engraving, and \$5,000 for charges of Ebasco Services Incorporated.

The fee of counsel for the underwriters is estimated at \$7,000 and is to be paid by the purchasers.

The estimated fees and expenses incident to the proposed intrasystem transactions aggregating \$7,450, consisting of filing fees, fees and expenses of counsel and miscellaneous expenses are allocated as follows: National \$1,500, Iroquois \$3,930, Pennsylvania and United \$1,010 each.

Iroquois has applied to The Public Service Commission of New York for authority to issue and sell its notes and Pennsylvania and United have applied to The Pennsylvania Public Utility Commission for authority to issue and sell their notes. Copies of the orders entered therein are to be supplied by amendment. It is represented that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 1, 1960, request in writing that a hearing be held on the matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 60-2639; Filed, Mar. 23, 1960; 8:49 a.m.]

WEST PENN ELECTRIC CO. AND MONONGAHELA POWER CO.

Notice of Proposed Issuance and Sale at Competitive Bidding of Common Stock of Holding Company; Is- suanee and Sale to Holding Com- pany of Common Stock by Sub- sidiary

MARCH 17, 1960.

In the matter of the West Penn Electric Company, Monongahela Power Company, File No. 70-3869.

Notice is hereby given that the West Penn Electric Company ("West Penn"), a registered holding company, and Monongahela Power Company ("Monongahela"), one of its public-utility subsidiaries, which is also an exempt holding company, have filed with this Commission a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6, 7, 9, 10 and 12 of the Act and Rules 43, 44 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to said joint application-declaration on file in the office of the Commission for a statement of the proposed transactions which are summarized as follows:

West Penn proposes to issue and sell to underwriters 300,000 additional shares of its \$5 par value common stock, pursuant to the competitive bidding requirements of Rule 50. The net proceeds, which have been estimated at approximately \$10,000,000, will be used (1) to pay at maturity, or to acquire at principal amount (plus accrued interest) before maturity, the West Penn Traction Company First Mortgage 5 percent Bonds, due June 1, 1960, which were assumed by West Penn and were outstanding in the principal amount of \$3,155,000 at February 29, 1960, (2) to purchase the additional shares of Monongahela's Common Stock referred to below, and (3) for other general corporate purposes.

Monongahela proposes to issue and sell, and West Penn proposes to purchase for cash, on or before June 30, 1960, 770,000 additional shares of Monongahela's Common Stock at the aggregate par value of \$5,005,000. The proceeds will be used for the construction programs of Monongahela and its subsidiaries or to reimburse its treasury for expenditures in connection therewith. West Penn owns all of the 3,067,100 outstanding shares of Monongahela's Common Stock.

Upon acquisition West Penn proposes to pledge the Monongahela shares with Chemical Bank New York Trust Company, the Trustee under the Trust Indenture dated as of September 1, 1949, securing West Penn's 3 $\frac{1}{2}$ percent Sinking Fund Collateral Trust Bonds, in accordance with the requirements of said indenture.

The estimated fees and expenses to be incurred by West Penn in connection with the proposed transactions aggregate \$40,000 and include \$4,500 for accountants; \$8,500 for company counsel; \$6,500 for printing and \$11,000 for Federal stamp tax. The balance of the fees

and expenses represent payments for Transfer Agent and Registrar, listing and registration fees, Blue Sky fees and expenses and miscellaneous.

The fees and expenses of Cravath, Swaine & Moore, counsel for the successful bidders, are to be paid by such bidders and are estimated at \$5,000 and \$500, respectively.

Fees and expenses to be paid by Monongahela are estimated at \$5,500 of which \$5,005 is for Federal stamp tax.

It is stated that the Maryland Public Service Commission has jurisdiction over the proposed issue and sale of common stock by West Penn and that no other State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than April 1, 1960, at 5:30 p.m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason for such request, and the issues of fact or law, if any, raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the joint application-declaration as filed or as amended, may be granted and permitted to become effective as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules 20(a) and 100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 60-2640; Filed, Mar. 23, 1960;
8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification No. 95]

NEVADA

Small Tract Classification; Amendment

1. Effective March 16, 1960, Federal Register Document 53-8583 appearing on pages 6412-14 of the issue for October 8, 1953, is revoked as to the following described public lands:

MOUNT DIABLO MERIDIAN, NEVADA

T. 20 S., R. 60 E.,
sec. 26, W $\frac{1}{2}$ NW $\frac{1}{4}$;
sec. 27, S $\frac{1}{2}$ NE $\frac{1}{4}$.

Containing 160 acres.

2. The lands included in this restoration are located approximately four miles northwest of Las Vegas, Nevada. The elevation is approximately 2,500 feet above sea level. The climate is dry. The area receives from 5 to 7 inches of rainfall annually. The topography is

nearly level, the soils varying from sands to gravel.

3. The subject lands have been determined to be appropriated under the United States mining laws by virtue of valid claims having been located on the lands prior to Small Tract Classification. These lands are included in Mineral Patent Application, Nev-041391, and have been approved for disposal thereunder.

JAMES E. KEOGH, Jr.,
Acting State Supervisor.

MARCH 16, 1960.

[F.R. Doc. 60-2636; Filed, Mar. 23, 1960;
8:48 a.m.]

[W-02466]

WASHINGTON

Restoration Order Under Federal Power Act

MARCH 16, 1960.

Pursuant to Determination DA-127 Washington, made by the Federal Power Commission, the land withdrawn for Power Site Classification No. 152 was partially vacated insofar as it affected the lands described in this order and Project No. 1125 was vacated in its entirety. The Geological Survey has issued Power Site Cancellation No. 116. In accordance with Section 2.5 Part 2 of the Redelegation Order 541 of April 21, 1954 by the Director, Bureau of Land Management, it is hereby ordered as follows:

Subject to valid existing rights and withdrawals, the lands hereinafter described, so far as they are withdrawn and reserved for power purposes, are hereby restored:

WILLAMETTE MERIDIAN, WASHINGTON

T. 23 N., R. 9 W.,
Sec. 1, Lot 4;
Sec. 2, Lots 1, 5, 7, 8, 9, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 4, S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 5, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 7, Lots 3, 4, 5, 6, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, Lot 6;
Sec. 9, Lots 1, 5, 6;
Sec. 10, Lot 1, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$,
SW $\frac{1}{4}$;
Sec. 16, Lots 2, 5, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 19, Lot 1;
Sec. 20, Lots 1, 2, 3, 4, 5, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 21, Lots 1, 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 30, Lots 1, 2, 3, 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 31, Lot 1.

T. 23 N., R. 10 W.,
Sec. 13, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lot 5;
Sec. 14, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 23, Lots 1, 2, 3, 4.

The described lands situated North and West of the Quinault River were withdrawn for the Olympic National Park by Presidential Proclamation 2300 of January 2, 1940. All the land situated South of the Quinault River is within the boundaries of the Olympic National Forest. None of the land restored will

become subject to entry under the non-mineral public land laws.

Inquiries regarding these lands shall be addressed to the Manager, Bureau of Land Management, 680 Bon Marche Building, Spokane, Washington.

FRED J. WEILER,
State Supervisor.

[F.R. Doc. 60-2637; Filed, Mar. 23, 1960;
8:49 a.m.]

ALASKA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

Notice of an application Serial No. Anchorage 033715, for withdrawal and reservation of lands was published as Federal Register Document No. 57-3318 on page 2920 of the issue for April 25, 1957. The applicant agency has canceled its application in its entirety and involving the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on April 20, 1960, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

CAPE SARICHEF AREA

Tracks of land located on Unimak Island in the Aleutian Islands, Alaska, more exactly described as follows:

TRACT A

Commencing at U.S.C. & G.S. Monument "Pass" latitude 54°35'46.497" N., longitude 164°55'25.267" W., 1927 N.A.D.; thence S. 85°52'00" E., 8,200 feet, more or less to the point of beginning for this description;

Thence North 1,000 feet;
Thence East 2,000 feet;
Thence South 2,000 feet;
Thence West 2,000 feet;
Thence North 1,000 feet to the point of beginning.
Containing 91.83 acres, more or less.

TRACT B

Commencing at U.S.C. & G.S. Monument "Pass", latitude 54°35'46.497" N., longitude 164°55'25.267" W., 1927 N.A.D.; thence S. 32°55'40" E., 9,200.98 feet; thence N. 10°42'40" W., 1,000 feet, more or less, to the point of beginning for this description

Thence South 79°17'20" West, 750 feet;
Thence North 10°42'42" West, 5,500 feet;
Thence North 79°17'20" East, 1,500 feet;
Thence South 10°42'40" East, 5,500 feet;
Thence South 79°17'20" West, 750 feet to the point of beginning.

Containing 189.39 acres, more or less.

TRACT C

Commencing at U.S.C. & G.S. Monument "Pass", latitude 54°35'46.497" N., longitude 164°55'25.267" W., 1927 N.A.D.; thence N. 31°13'10" E., 484.43 feet; thence S. 51°00'30" E., 575.98 feet; thence S. 48°21'10" E., 883.41 feet; thence S. 58°31'40" E., 260 feet more or less to the point of beginning for this description

Thence North 500 feet;
Thence East 1,000 feet;
Thence South 1,000 feet;
Thence West 1,000 feet;
Thence North 500 feet to the point of beginning.

Containing 22.96 acres, more or less.

L. T. MAIN,
Operations Supervisor.

[F.R. Doc. 60-2649; Filed, Mar. 23, 1960;
8:51 a.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

KAZUO TATSUTA

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Kazuo Tatsuta, Tokyo, Japan; \$892.00 in the Treasury of the United States.

Vesting Order Nos. 16812 and 17230; Claim No. 62879.

Executed at Washington, D.C., on March 18, 1960.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F.R. Doc. 60-2647; Filed, Mar. 23, 1960;
8:50 a.m.]

DEPARTMENT OF COMMERCE

Bureau of the Census

RESEARCH AND DEVELOPMENT COSTS

Determination for Survey

In conformity with the Act of Congress approved August 31, 1954, 13 U.S.C. 181, and due notice having been published February 10, 1960 (25 F.R. 1195), pursuant to said Act, I have determined that annual data to be derived from the counterpart Survey of Research and Development Costs are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry and are not publicly available from nongovernmental or other government sources.

Insofar as possible, the data will be derived from reports gathered by the Bureau of the Census for the National Science Foundation as part of a more detailed voluntary survey. The figures to be obtained by the Census under the mandatory authority will be limited to total research and development costs of work performed by the company, total cost of research and development work performed for the Federal Government, and, for comparative purposes, total net sales and receipts, and total employment of the company. Those firms that fur-

nish the equivalent data as part of the more detailed voluntary survey conducted for the National Science Foundation will not be asked to file the separate Census questionnaire. The detailed survey will cover a sample of some 8,000 firms, including all firms with more than 1,000 employees.

Research and development costs now form a significant part of manufacturing and other industrial activity. The companies included in this area currently perform annually, approximately \$8 billion in research and development work. An adequate measure of the changes in the level of this activity is important to the Government in considering its own research and development program and in the general understanding of the industrial economy. The public and industry recognize the data as an important factor in the industrial picture.

The report form will be furnished to firms included in the counterpart survey and additional copies are available on request to the Director, Bureau of the Census, Washington 25, D.C.

I have therefore directed that an annual counterpart survey be conducted for the purpose of collecting the data hereinabove described.

ROBERT W. BURGESS,
Director,
Bureau of the Census.

[F.R. Doc. 60-2644; Filed, Mar. 23, 1960;
8:50 a.m.]

ATOMIC ENERGY COMMISSION

[Docket Nos. 50-161, 50-162]

GENERAL DYNAMICS CORP.

Notice of Filing of Applications for Facility Export Licenses

Please take notice that General Dynamics Corporation, P.O. Box 608, San Diego, California, has submitted two applications dated February 11, 1960, and February 12, 1960, for licenses authorizing the export of a 100 kilowatt TRIGA Mark II Nuclear Reactor to each of the consignees indicated:

1. Gotoh Educational Foundation, 32, Nampoedai, Shibuya-Ku, Tokyo, Japan, for installation at the Musashi College of Technology in Tokyo, Japan. (Docket No. 50-161)

2. Rikkyo University, Tokyo, Japan, for installation at that University. (Docket No. 50-162)

Pursuant to section 104 of the Atomic Energy Act of 1954 and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities", and upon findings that (a) the reactors proposed to be exported are utilization facilities as defined in said Act and regulations, and (b) the issuance of licenses for the export thereof is within the scope of and is consistent with the terms of an agreement for cooperation with the Government of Japan the Commission may issue facility export licenses authorizing the export of the reactors to Japan.

In its review of applications solely to authorize the export of production or utilization facilities the Commission does not evaluate the health and safety characteristics of the subject reactor.

In accordance with the procedures set forth in the Commission's rules of practice (Title 10, CFR, Chapter 1, Part 2) a petition for leave to intervene in these proceedings must be served upon the parties and filed with the Atomic Energy Commission within 30 days after the filing of this notice with the Office of the Federal Register. A request for formal hearing may be filed by mail with the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Commission's offices at 1717 H Street NW., Washington, D.C., or its offices at Germantown, Maryland.

A copy of each application is on file in the Atomic Energy Commission's Public Document Room located at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 18th day of March 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of
Licensing and Regulation.

[F.R. Doc. 60-2609; Filed, Mar. 23, 1960;
8:45 a.m.]

[Docket No. 50-47]

ORDNANCE MATERIALS RESEARCH OFFICE

Notice of Proposed Issuance of Facility License

Please take notice that, unless within fifteen days after the filing of this notice with the Office of the Federal Register a request for a formal hearing is filed with the United States Atomic Energy Commission as provided by the Commission's rules of practice (Title 10, CFR, Chapter 1, Part 2), the Commission proposes to issue to Ordnance Materials Research Office, Watertown, Massachusetts, a facility license substantially as set forth below authorizing the possession and operation at the Watertown Arsenal of a pool-type nuclear reactor at power levels up to 1 megawatt (thermal). Prior to issuance of the license the reactor will be inspected by representatives of the Commission to determine whether it has been constructed in accordance with the provisions of Construction Permit No. CPRR-16, as amended. A request for formal hearing may be filed by mail with the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Commission's offices at 1717 H Street NW., Washington, D.C., or its offices at Germantown, Maryland.

For further details see (1) the application submitted by Ordnance Materials Research Office and amendments thereto, and (2) a hazards analysis prepared by the Hazards Evaluation Branch, Division of Licensing and Regulation, both on file at the Commission's Public Document Room. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request

addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 17th day of March 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of
Licensing and Regulation.

[Docket No. 50-47]

1. This license applies to the light water-moderated and -cooled, pool-type, nuclear reactor (hereinafter referred to as "the reactor") which is owned by Ordnance Materials Research Office and located at Watertown Arsenal, Watertown, Massachusetts, and described in the application dated December 1, 1956, and amendments thereto dated February 18, 1957, April 29, 1957, June 14, 1957, April 30, 1959, August 27, 1959, December 15, 1959, and February 23, 1960, (hereinafter collectively referred to as "the application").

2. Pursuant to the Atomic Energy Act of 1954, as amended, (hereinafter referred to as "the Act") and having considered the record in this matter, the Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The reactor has been constructed in conformity with Construction Permit No. CPRR-16 issued to Ordnance Materials Research Office and will operate in conformity with the application and in conformity with the Act and with the rules and regulations of the Commission;

B. There is reasonable assurance that the reactor can be operated at the designated location without endangering the health and safety of the public;

C. Ordnance Materials Research Office is technically and financially qualified to operate the reactor, to assume financial responsibility for payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time, and to engage in the proposed activities in accordance with the Commission's regulations;

D. The possession and operation of the reactor and the receipt, possession and use of the special nuclear material in the manner proposed in the application will not be inimical to the common defense and security or to the health and safety of the public; and

E. Ordnance Materials Research Office is a Government agency, and need not furnish proof of financial protection as would otherwise be required by subsection 170a of the Act.

3. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Ordnance Materials Research Office:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", to possess and operate the reactor as a utilization facility at the designated location in Watertown, Massachusetts, in accordance with the procedures and limitations described in the application and this license;

B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material", to receive, possess and use up to 9.35 kilograms of contained uranium 235 in connection with operation of the reactor; and

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material", to possess but not to separate such byproduct material as may be produced by operation of the reactor.

4. This license shall be deemed to contain and be subject to the conditions specified in Section 50.54 of Part 50 and Section 70.32 of Part 70, Title 10, Chapter 1, CFR, and to

be subject to all applicable provisions of the Act, and to the rules and regulations and orders of the Commission, now or hereafter in effect, and to the additional conditions specified below:

A. Ordnance Materials Research Office shall not operate the reactor at power levels in excess of 1000 kilowatts without prior written authorization from the Commission.

B. The concentrations averaged over a period of one year, of airborne radioactive materials contained in effluents from the reactor building stack, measured at the stack outlet, shall not exceed the concentrations specified in Appendix B, Table II, of Title 10, CFR, Chapter 1, Part 20.

C. In addition to those otherwise required under this license and applicable regulations, Ordnance Materials Research Office shall keep the following records:

1. Reactor operating records, including power levels.

2. Records of in-pile irradiations.

3. Records showing radioactivity released or discharged into the air or water beyond the effective control of Ordnance Materials Research Office as measured at the point of such release or discharge.

4. Records of emergency reactor scrams, including reasons for emergency shutdowns.

D. Ordnance Materials Research Office shall immediately report to the Commission in writing any indication or occurrence of a possible unsafe condition relating to the operation of the reactor.

5. Pursuant to Section 50.60 of the regulations in Title 10, CFR, Chapter 1, Part 50, the Commission has allocated, in Construction Permit No. CPRR-16, to Ordnance Materials Research Office for use in connection with operation of the reactor, 9.35 kilograms of uranium 235 contained in uranium at the isotopic ratios specified in the application. Estimated schedules of special nuclear material transfers to Ordnance Materials Research Office and returns to the Commission are contained in Appendix "A" which is attached hereto. Transfers from the Commission to Ordnance Materials Research Office in accordance with Column (2) of Appendix "A" will be conditioned upon return to the Commission of special nuclear material substantially in accordance with Column (3) of Appendix "A".

6. This license is effective as of the date of issuance and shall expire at midnight October 2, 1997.

For the Atomic Energy Commission.

APPENDIX "A" TO ORDNANCE MATERIALS RESEARCH OFFICE UTILIZATION FACILITY LICENSE NO. R-

(1) Date of transfer (calendar year)	(2) Transfers from AEC to OMRO, kgs. U-235	(3) Returns by OMRO to AEC, kgs. U-235		(4) Net yearly distribution, kgs. U-235	(5) Cumulative distribution, kgs. U-235
		Cold scrap	Spent fuel		
1958	7.56	3.78		3.78	3.78
1959	1.12	.56	0.50	.06	3.84
1960	2.80	1.40	1.20	.20	4.04
1961	2.24	1.12	.94	.18	4.22
1962	1.40	.70	.61	.09	4.31
1963	1.40	.70	.59	.11	4.42
1964	1.40	.70	.57	.13	4.55
1965	1.40	.70	.55	.15	4.70
1966	1.40	.70	.55	.15	4.85
1967	1.40	.70	.55	.15	5.00
1968	1.40	.70	.55	.15	5.15
1969	1.40	.70	.55	.15	5.30
1970	1.40	.70	.55	.15	5.45
1971	1.40	.70	.55	.15	5.60
1972	1.40	.70	.55	.15	5.75
1973	1.40	.70	.55	.15	5.90
1974	1.40	.70	.55	.15	6.05
1975	1.40	.70	.55	.15	6.20
1976	1.40	.70	.55	.15	6.35
1977	1.40	.70	.55	.15	6.50
1978	1.40	.70	.55	.15	6.65
1979	1.40	.70	.55	.15	6.80
1980	1.40	.70	.55	.15	6.95
1981	1.40	.70	.55	.15	7.10
1982	1.40	.70	.55	.15	7.25
1983	1.40	.70	.55	.15	7.40
1984	1.40	.70	.55	.15	7.55
1985	1.40	.70	.55	.15	7.70
1986	1.40	.70	.55	.15	7.85
1987	1.40	.70	.55	.15	8.00
1988	1.40	.70	.55	.15	8.15
1989	1.40	.70	.55	.15	8.30
1990	1.40	.70	.55	.15	8.45
1991	1.40	.70	.55	.15	8.60
1992	1.40	.70	.55	.15	8.75
1993	1.40	.70	.55	.15	8.90
1994	1.40	.70	.55	.15	9.05
1995	1.40	.70	.55	.15	9.20
1996	1.40	.70	.55	.15	9.35
1997			3.35	(3.35)	6.00
	62.72	31.36	25.36	6.00	

[F.R. Doc. 60-2610; Filed, Mar. 23, 1960; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 21, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of prac-

tice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36083: *Grains between points in Arkansas and Missouri.* Filed by Southwestern Freight Bureau, Agent (No. B-7753), for interested rail carriers. Rates on barley, corn (other than popcorn), shelled, milo, maize, oats, rye and soybeans, in carloads between points in

Arkansas, on the one hand, and points in Arkansas, Missouri, and Memphis, Tenn., on the other.

Grounds for relief: Motor-truck competition.

Tariffs: Supplement 30 to Southwestern Freight Bureau tariff I.C.C. 4144, and 2 other schedules named in the application.

FSA No. 36084: *Petrolatum—Southwest to Western Trunk Line Points*. Filed by Southwestern Freight Bureau, Agent (No. B-7754), for interested rail carriers. Rates on crude petrolatum, in tank-car loads from points in Arkansas, Louisiana, Oklahoma and Texas to points in Colorado, New Mexico, Utah and Wyoming.

Grounds for relief: Grouping.

Tariff: Supplement 141 to Southwestern Freight Bureau tariff I.C.C. 4066.

FSA No. 36085: *Substituted Service—Pan-Atlantic Steamship Corporation for Bader Bros., Inc., et al.* Filed by Movers' & Warehousemen's Association of America, Inc. (No. 2), for interested carriers. Rates on property loaded in highway trailers and transported aboard ship between Port of New York, N.Y., on the one hand, and Jacksonville, Miami and Tampa, Fla., New Orleans, La., and Houston, Tex., on the other, on traffic originating at or destined to such points or point beyond as described in the application.

Grounds for relief: Motor-truck competition.

FSA No. 36086: *Lumber from CC&O Ry., Yancey RR and Southern Ry. points for export*. Filed by O. W. South, Jr., Agent (No. A3923), for interested rail carriers. Rates on lumber and related articles, in carloads from points on CC&O Ry., Yancey RR and Southern Railway to Gulf, south Atlantic and Virginia ports for export or intercoastal movement.

Grounds for relief: Truck competition.

Tariff: Supplement 156 to Southern Freight Association tariff I.C.C. 1314.

FSA No. 36087: *Petroleum—Southwest to Cincinnati, Ohio*. Filed by Southwestern Freight Bureau, Agent (No. B-7757), for interested rail carriers. Rates on petroleum and petroleum products, in carloads from points in southwestern territory also Kansas to Cincinnati, Ohio.

Grounds for relief: Maintenance of rates through higher-rated intermediate territory.

Tariff: Supplement 204 to Southwestern Freight Bureau tariff I.C.C. 4150.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 60-2645; Filed, Mar. 23, 1960;
8:50 a.m.]

[Notice No. 282]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 21, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 62592. By order of March 16, 1960, the Transfer Board approved the transfer to Majestic Warehouses, Inc., Chicago, Ill., of Certificate in No. MC 30041, issued June 2, 1959, to Trans-World Van Lines, Inc., Chicago, Ill., authorizing the transportation of: Household goods between Chicago, Ill., and points within 50 miles thereof, on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, West Virginia, Kentucky, Tennessee, Ohio, Michigan, Indiana, Illinois, Missouri, Iowa, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Louisiana, Arkansas, Mississippi, Alabama, Georgia, and Florida. Axelrod, Goodman & Steiner, Attorneys at Law, 39 South La Salle Street, Chicago 3, Ill., for applicants.

No. MC-FC 62829. By order of March 16, 1960, the Transfer Board approved the transfer to Salem Sand & Gravel Co., a corporation, 1375 Front Street NE., P.O. Box 2207, Salem, Ore.; of Certificate in No. MC 114331, issued November 17, 1954, to F. S. Anunsen, R. H. Hatfield, W. H. Muirhead, Fred Soultz Anunsen, Betty Wilke, John W. Anunsen, Robert G. Brady, Jr., and Thomas B. Hill, Jr., a partnership, doing business as Salem Heavy Hauling & Equipment Co., 1375 Front Street NE., Salem, Ore.; authorizing the transportation of: Heavy machinery and other commodities, the transportation of which because of size or weight requires the use of special equipment, and related machinery parts, equipment, and supplies when the transportation thereof is incidental to the transportation of heavy machinery and other commodities which by reason of size or weight require the use of special equipment, between points in Marion, Polk, Benton, Lincoln and Linn Counties, Ore., on the one hand, and, on the other, points in Modoc, Siskiyou, Del Norte, Humboldt, Trinity, Shasta, and Lassen Counties, Calif., but excluding service to or from points in Siskiyou and Shasta Counties, Calif., located on U.S. Highway 99.

No. MC-FC 62901. By order of March 17, 1960, the Transfer Board approved the transfer to Magnolia Truck Line, Inc., Memphis, Tenn., of Certificate No. MC 64832, issued March 30, 1955, to Kenneth D. Gunion, doing business as Gore Truck Line, Memphis, Tenn., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Hernando, Miss., and Memphis, Tenn.; serving the inter-

mediate points on U.S. Highway 51, and the off-route points in DeSoto County, Miss., within seven miles of Hernando. John Paul Jones, 1012 Home Federal Building, Memphis, Tenn., for applicants.

No. MC-FC 62943. By order of March 16, 1960, the Transfer Board approved the transfer to Calvin E. Anderson, Shell Lake, Wis., of Certificate in No. MC 94062, issued July 17, 1958, to Ervin Sederlund, Frederic, Wis., authorizing the transportation of: Livestock, farm implements, hardware, seed, feed, grain, groceries, canned goods, dry goods, oil and oil products, from and to specified points in Wisconsin and Minnesota.

No. MC-FC 62950. By order of March 16, 1960, the Transfer Board approved the transfer to Bracey & Martin, Inc., Hopkinsville, Ky., of Certificate in No. MC 115762 and Permits Nos. MC 114989 and MC 114989 Sub 1, issued April 3, 1957, May 18, 1955, and May 18, 1955, respectively, to Edward L. Bracey and Coleman Martin, a partnership, doing business as Bracey & Martin, Hopkinsville, Ky., authorizing the transportation of: Fertilizer, in bags, malt beverages, and empty malt beverage containers, from and to specified points in Indiana, Kentucky, Missouri, Tennessee, and Wisconsin. James C. Havron, 513 Nashville Trust Building, Nashville 3, Tenn., for applicants.

No. MC-FC 62954. By order of March 17, 1960, the Transfer Board approved the transfer to Dalen Rickard, Linden, Wisconsin, of Certificate in No. MC 117166 issued May 1, 1958, to Matthew W. Ross, doing business as Matt Ross Soil Service, Mineral Point, Wisconsin, authorizing the transportation of: Fertilizer, from Fulton, Ill., to points in Grant Lafayette, Iowa, and Crawford Counties, Wis., with no transportation for compensation on return except as otherwise authorized. John L. Bruemmer, Attorney, 121 West Doty Street, Madison 3, Wis., for applicants.

No. MC-FC 63016. By order of March 16, 1960, the Transfer Board approved the transfer to Robert Utgard, Star Prairie, Wis., of the operating rights issued to Ole Ausen, Star Prairie, December 9, 1940, in Certificate No. MC 65465, authorizing the transportation of general commodities, excluding household goods, commodities in bulk and other specified commodities, over irregular routes, between points in the towns of Stanton and Star Prairie, St. Croix County, Wis., and those in Alden, Polk County, Wis., on the one hand, and on the other, South St. Paul, St. Paul, and Minneapolis, Minn. A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn., for applicants.

No. MC-FC 63034. By order of March 16, 1960, the Transfer Board approved the transfer to Allied Towing, Inc., doing business as Bishop Towing Company and Emergency Towing Service, Minneapolis, Minn., of Certificate No. MC 113733 issued November 27, 1959, in the name of Balto-Hedges Towing, Inc., doing business as Bishop Towing Company

and Emergency Towing Service, Minneapolis, Minn., authorizing the transportation of wrecked or disabled motor vehicles, and tractors for replacement of wrecked or disabled motor vehicles, and tractors for replacement of wrecked or disabled tractors, in truckaway service, between Minneapolis, and St. Paul, Minn., on the one hand, and, on the other, points in Illinois, Iowa, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. Leonard T. Juster, 311 Produce Bank Building, Minneapolis 3, Minn., for transferee. Theodore Balto, 16 North Second Street, Minneapolis, Minn., for transferor.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-2646; Filed, Mar. 23, 1960;
8:50 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

DAVID C. HOLUB

Appointee's Statement of Business Interests

The following statement lists the names of concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

No change since last submission of statement, published August 13, 1959 (24 F.R. 6602).

Dated: February 1, 1960.

DAVID C. HOLUB.

[F.R. Doc. 60-2611; Filed, Mar. 23, 1960;
8:45 a.m.]

MORRIS A. LIEBERMAN

Appointee's Statement of Business Interests

The following statement lists the names of concerns required by subsection 710(b) (6) of the Defense Production Act of 1950, as amended.

Add Maremont Automotive.

This amends statement published September 24, 1959 (24 F.R. 7710).

Dated: March 6, 1960.

MORRIS A. LIEBERMAN.

[F.R. Doc. 60-2612; Filed, Mar. 23, 1960;
8:45 a.m.]

CUMULATIVE CODIFICATION GUIDE—MARCH

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